

APPENDIX B

NOPs and Responses

DATE: April 8, 2014

TO: Interested Persons

FROM: Scott Johnson, Associate Planner
Community Development Department

RE: **NOTICE OF PREPARATION OF A SUSTAINABLE COMMUNITIES
ENVIRONMENTAL ASSESSMENT FOR THE SACRAMENTO COMMONS
PROJECT (P14-012)**

COMMENT PERIOD

April 10, 2014 to May 12, 2014

INTRODUCTION

The City of Sacramento ("City") is the Lead Agency for preparation of environmental review pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) for the Sacramento Commons project, P14-012(project). The environmental review to be prepared by the City will evaluate potential significant environmental effects of the project required by CEQA. At this time the City does not anticipate the project will either directly or indirectly lead to significant impacts that cannot be mitigated to a less-than-significant level.

The project is a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP). Pursuant to California Public Resources Code section 21155(b), a TPP must meet the following requirements: (1) the project must contain at least 50 percent residential use based on total building square footage; (2) the project must have a minimum net density of 20 dwelling units per acre; and (3) the project must be located within one-half mile of a major transit stop or high quality transit corridor included in the regional transportation plan. As a TPP, the project may be reviewed through a Sustainable Communities Environmental Assessment (SCEA) so long as the City determines that the project incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports and that the project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

Pursuant to California Public Resources Code section 21155.2(b), an initial study is prepared to identify significant or potentially significant impacts of the TPP. An SCEA may be approved by the lead agency after conducting a public hearing, reviewing the comments received, and finding that all potentially significant or significant effects required to be identified in the initial study have been identified and analyzed, and for each significant effect on the environment changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.

The City as the Lead Agency is issuing a Notice of Preparation (NOP) to inform all responsible agencies of the decision to prepare an initial study in support of an anticipated SCEA. The purpose of the NOP is to provide information describing the project and its potential environmental effects and to seek input from responsible agencies as defined by CEQA (California Public Resources Code section 21069) and the public. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project.

SUBMITTING COMMENTS

Comments and suggestions as to the appropriate scope of analysis are invited from all interested parties. Written comments or questions concerning the proposed project should be directed to the environmental project manager at the following address on May 12, 2014 (Public counter hours are 9AM-4PM). Please include the contact person's full name and address in order for staff to respond appropriately:

Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor, Sacramento, CA 95811
Telephone: (916) 808-5842
E-mail: srjohnson@cityofsacramento.org

PROJECT LOCATION/SETTING

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. The project site is generally bounded by 5th, 7th, N, and P Streets and consists of Assessor's Parcel Numbers (APN): 006-0300-002, 006-0300-003, and 006-0300-004 (See Figure, 1 Regional Location, and Figure 2, Project Location).

The project site is currently developed with a residential rental property containing 409 units, approximately 4,122 square feet of neighborhood-serving retail and commercial space, recreational amenities (including a swimming pool), laundry facilities, various landscaped areas, and a three-level parking structure containing 200 parking spaces. The 409 units consist of 206 two- and three-story garden apartments and 203 units in the 15-story Capitol Tower building. Sharing the four-block project area but not a part of the project site, are the separately owned 15-story 500 N Street condominium tower and the 12-story Pioneer Towers senior apartments (see Figure 2, Project Location).

Surrounding land uses include federal and state offices to the north, west, and east. Two multi-family properties (Governor's Square and Pioneer House) are located at the southeast and

northwest corners of 5th and P Streets, respectively. The 500 N Street condominium tower is located at the northwestern boundary of the project site on the corner of 5th and N Streets. In addition, the State of California Central Plant (which heats and cools State buildings) is located on the south side of P Street, across the street from the project site.

PROJECT DESCRIPTION

The project includes high-rise and mid-rise apartments and condominiums, with opportunities for live-work and neighborhood-serving retail and support services for community residents and guests. Modern community amenities, pedestrian promenades, rooftop open space areas, and a potential hotel (described below) are other planned features of the community (see Figure 3, Proposed Project).

As part of the site's development, the project would enhance the pedestrian walkways and replace 206 existing garden apartment units with approximately 1,400–1,500 new dwelling units (including the existing 203-unit Capitol Tower high-rise) of various types and densities (a net increase of approximately 1,200–1,300 dwelling units), new parking structures with up to 1,778 spaces serve uses on-site, approximately 65,000–69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space to activate the streets, public areas, and pedestrian spaces of the community (see Figure 3, Proposed Project; Figure 4, Parcel Diagram; and Figure 5, Land Use Summary).

The existing 15-story Capitol Tower building, containing 203 dwelling units, would remain an integral part of the Sacramento Commons community. Improvements to Capitol Tower could include interior modifications to reconfigure apartments, senior living facilities, or condominiums. The building's exterior would likely undergo a makeover to ensure overall architectural compatibility with Sacramento Commons.

Two potential development options are proposed for the project parcel near the corner of N and 7th streets (see Figure 5, Land Use Summary). Option 1 is planned as a 22-story mixed-use high-rise hotel and residential condominium development that would include a lobby area, restaurant, hotel meeting spaces, and other supporting uses on floors 1 and 2; hotel rooms on floors 3 through 11; and condominium units on floors 12–22. Option 2 proposes an all condominium alternative, with ground floor support uses.

Development of the proposed project is anticipated to begin in October 2015 and occur in phases to enable the project to respond to market demand and ensure infrastructure is adequate to support the project. Construction of off-site and on-site infrastructure such as water, sewer, and storm drainage facilities would be necessary in the early phases of development. However, the actual sequence of phasing may vary for the project, depending on economic and market conditions.

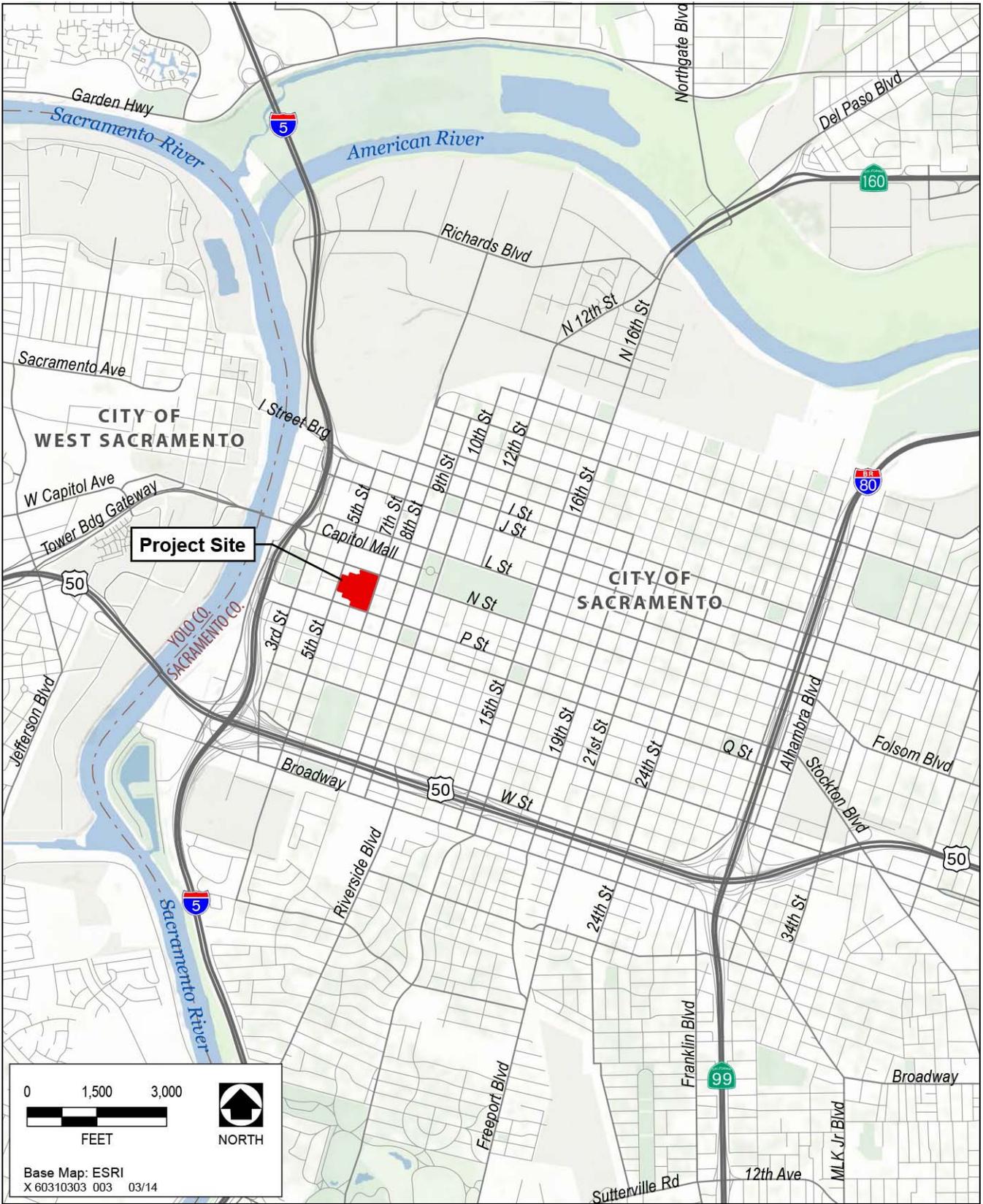


Figure 1, Regional Location

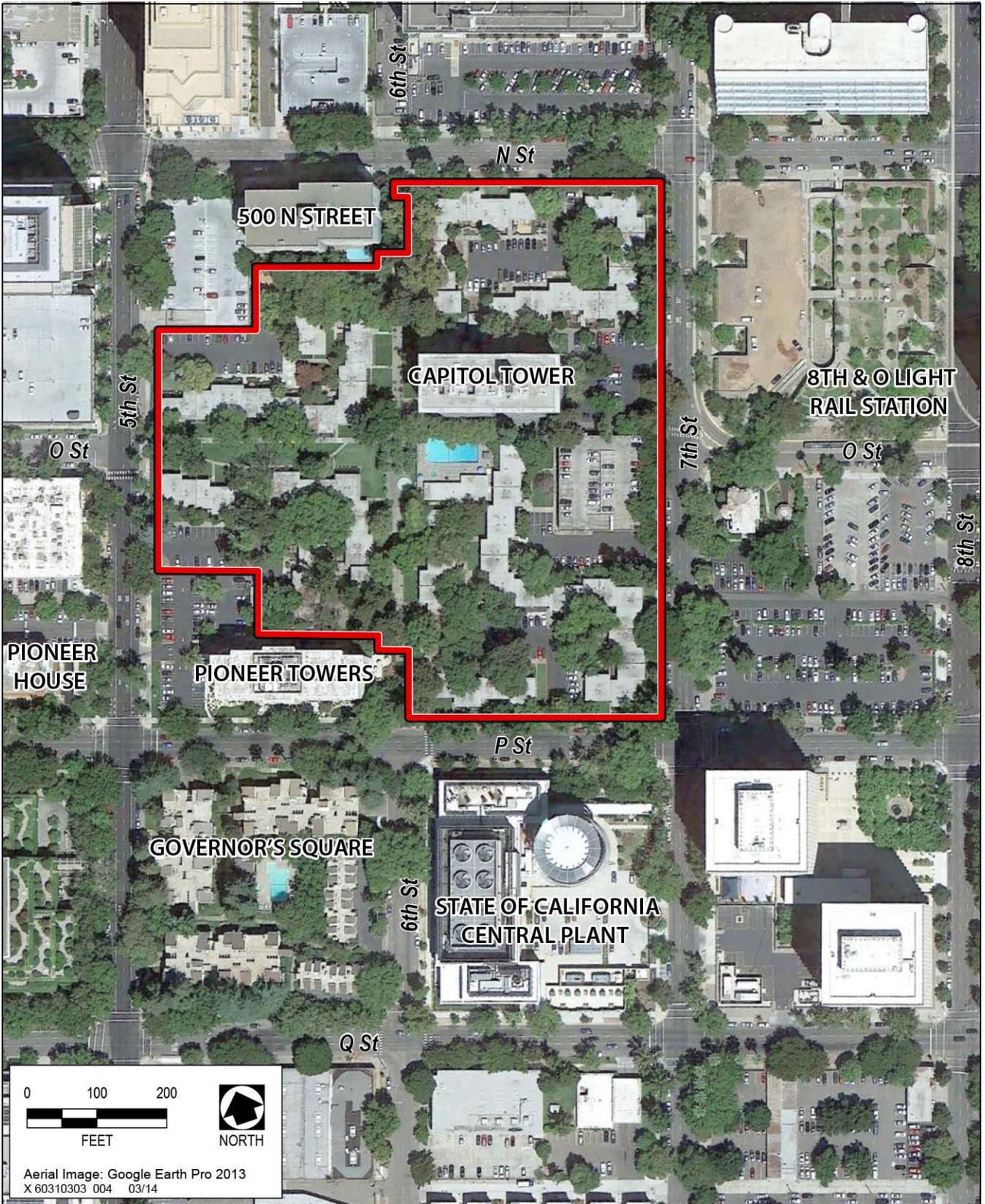


Figure 2, Project Location

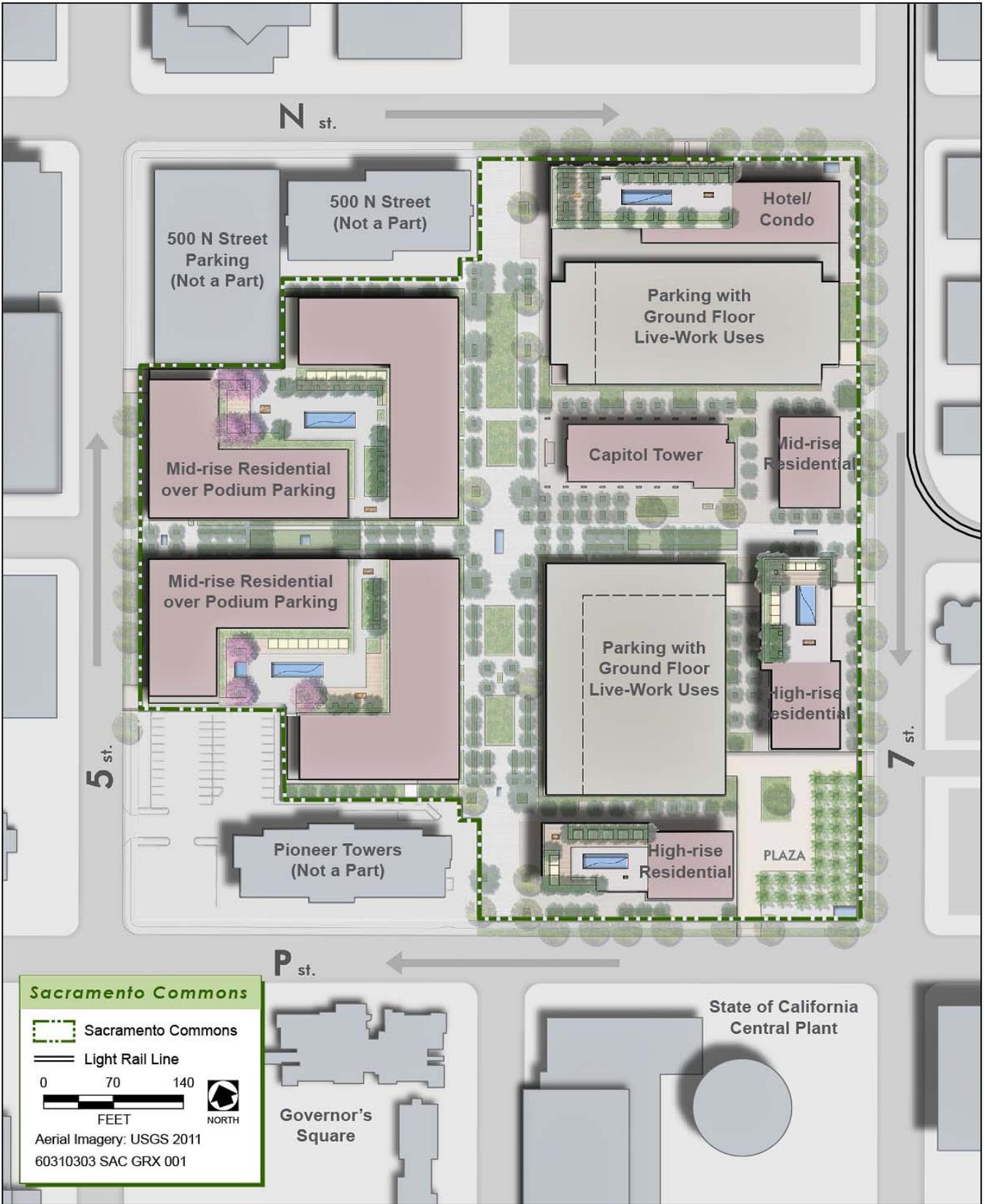


Figure 3, Proposed Project

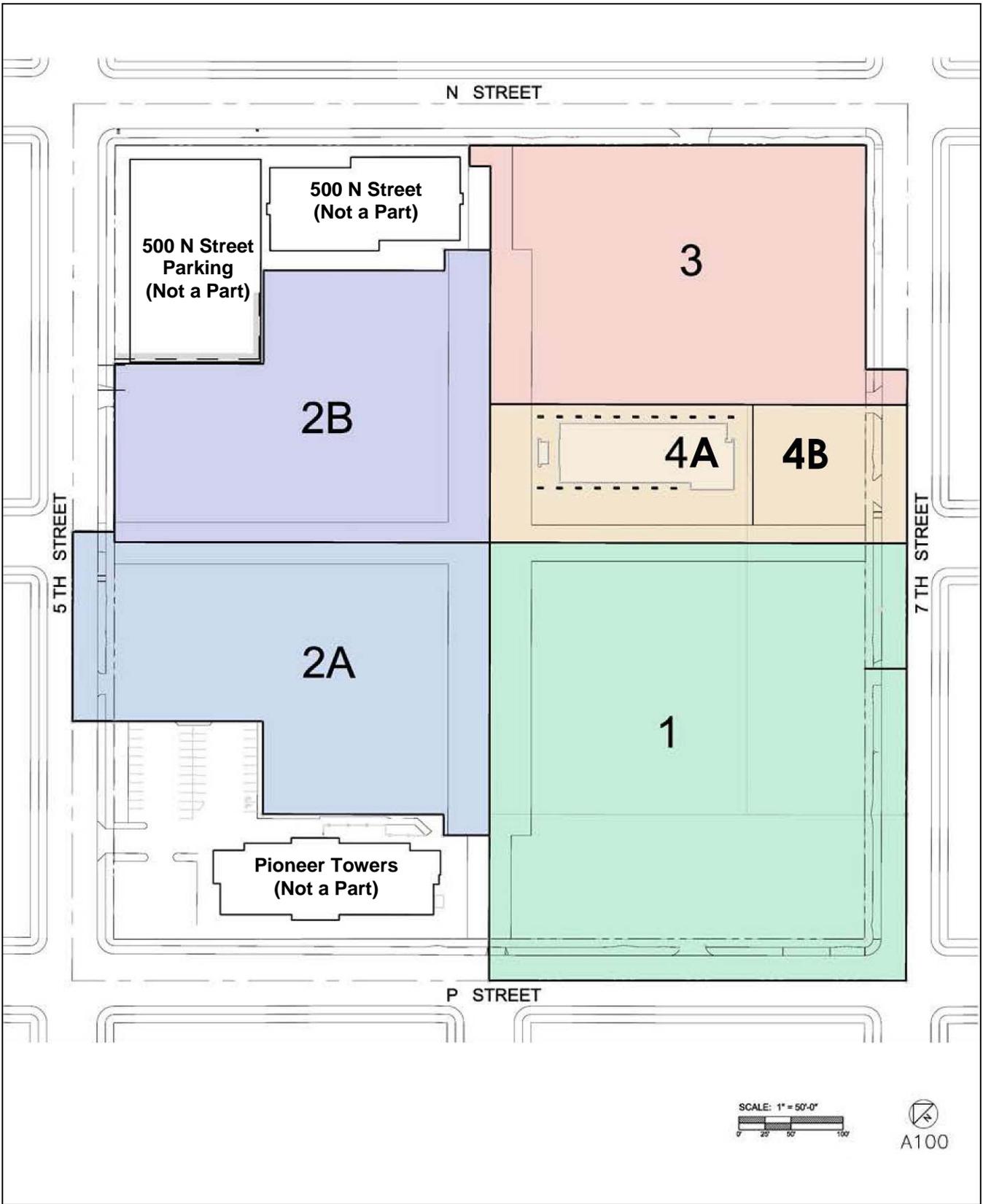


Figure 4, Parcel Diagram

Land Use	Max. Units or Rooms	Use Area (square feet)
Parcel 1 (3.22 net acres)		
Residential (24-story high-rises)	550	496,680
Neighborhood Support [3]	NA	24,000
Live/Work Units	12	10,800
Parcel 2A (1.83 net acres)		
Residential (7-story mid-rises)	225	199,250
Neighborhood Support [3]	NA	4,500
Live/Work Units	15	13,500
Parcel 2B (1.90 net acres)		
Residential (7-story mid-rises)	225	199,250
Neighborhood Support [3]	NA	4,500
Live/Work Units	15	13,500
Parcel 3, Option 1: With Hotel (2.08 net acres)		
Hotel Rooms	320	140,000
Residential (22-story high-rise)	120	172,800
Neighborhood Support/Retail [2]	NA	32,000
Live-Work Units	4	3,600
Parcel 3, Option 2: Without Hotel (2.08 net acres)		
Residential (22-story high-rise)	220	316,800
Neighborhood Support [2],[3]	NA	28,000
Live-Work Units	4	3,600
Parcel 4A (0.76 net acres), Existing Capitol Tower		
Residential (15-story high-rise)	203	171,000
Neighborhood Support/Retail	NA	4,122
Parcel 4B (0.34 net acres)		
Residential (5-story mid-rise over 2 levels of live-work)	50	33,250
Live/Work Units	3	2,700
Project Totals Based on Option 1, with Hotel (10.13 net acres)		
Total Residential	1,422 (49 live-work units)	1,316,430
Hotel Rooms	320	140,000
Neighborhood Support/Retail	NA	69,122
Project Totals Based on Option 2, without Hotel (10.13 net acres)		
Total Residential	1,522 (49 live-work units)	1,460,430
Neighborhood Support/Retail	NA	65,122
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 and 3 (Option 2) 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.		

Figure 5, Land Use Summary

Scott Johnson

From: Alice Bruce <alicebruce@yahoo.com>
Sent: Tuesday, April 15, 2014 7:39 PM
To: Scott Johnson
Subject: The Sacramento Commons Project

As a new resident of the Capitol Towers Villa Apartments I am concerned and surprised to hear about the new development scheduled to take the place of my current home. Is there going to be relocation assistance for those of us who currently live here? When will we need to vacate? There are many questions as this will take preparation and October 2015 is the very near future.

To: Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor, Sacramento, CA 95811
Telephone: (916) 808-5842
E-mail: srjohnson@cityofsacramento.org

Subject: Issues for Proposed Sacramento Commons Environmental Assessment

Thank you for taking comments for the Environmental Assessment (EA) Report. As co-owner of a south-facing 500 N Street condo, I would like your report to address:

- **Illustrations.** Kennedy Wilson (KW) has produced several concept pictures for the midrises that only show 3 or 4 story buildings and have big setbacks from neighbors, but the proposal speaks of 7 stories plus patio parking, and tiny setbacks from neighbors. Please ensure concept pictures in the EA reflect that. Please also make sure relief and winter shading are shown before heights are approved – scale models with a light bulb in a midwinter sun position would be great.

- **Evaluate alternative midrise layouts because:** KW's plan (shown at right) puts the nice green space in the middle of the midrise south of 500 N, while putting a long wide and tall building wall only 40 feet from south side 500 N apartments and north side Pioneer Towers apartments. This makes the neighbors whose apartments face KW's project see only wall and narrow dark courtyard for the larger part of a city block, blocking sunlight and distance view.



Meanwhile KW faces its own apartments away from that too-narrow corridor, explaining “Residential buildings should be oriented to the street or common open space areas to allow units access to natural light and ventilation, as well as, street or promenade views.”¹

¹ Sacramento Commons Planned Unit Development Guidelines – Draft March 2014, page 41 (

In addition, KW's proposed north midrise would shade 500 N, negating its passive solar features that save energy and carbon emissions by heating the south side in winter while keeping it cool in summer (described in footnote).² It would also shade 500 N's swimming pool virtually all the time, making us lose an amenity.

Please evaluate the following more neighbor-friendly alternatives:

A. Increased Distance and Reduced Height. In this alternative KW's midrise would be 60 feet from the north and south property lines. The 40 foot corridor would lie between KW's midrise buildings rather than between one midrise and the impacted neighbors who are already facing the Commons. A green possibly gated area for Sacramento Commons tenants would be located north of the midrise (or south in the Pioneer Tower's case). I show this with two placement options for KW's pool.



In addition under this alternative, midrise building height would be lowered enough to let south facing 500 N condos continue receiving winter sun. A first rough calculation suggests that with a 60 foot setback from the property line, 2nd floor

² 500 N's south side is passive solar because the balcony overhangs protect apartments from the summer sun but let in the lower winter sun, which removes the need for winter heating outside of long rain spells. In summer the higher sun angle keeps direct sunlight and its heat away from the south windows and walls, while the balconies themselves through at least the 9th floor are shaded by deciduous trees KW would remove. Residents open up at night to let the Delta Breeze cool their apartments, and the concrete building retains that coolness, further limiting air conditioning demand. The proposed development would block the Delta Breeze in summer and the insolation in winter for roughly the lower half of 500 N.

condos and up would get midday sun midwinter if the midrise had 4 floors plus underground parking for a total height of 40 feet, but your study could work out the exact number and setback (explanation of rough calculations in footnote)³.

In addition to lowering building height, underground parking would ensure there were ground level apartments that disabled residents could leave in an emergency without needing elevators.

- B. Increased distance only, plus parking underground.** This is like alternative A above, but the only height reduction on the midrises comes from putting the parking underground. Neighbors don't get the too-narrow dark wide courtyard view out their front windows (i.e., windows facing KW's buildings), but rough calculations suggest 500 N's bottom 4 floors would lose their midwinter sun.⁴
- C. Reduced height only.** Keep the undesirable narrow corridors, but drop building height to four stories plus underground parking. Now only 2 to 3 lower floors of 500 N are shaded midwinter, but the 4th floor neighbor residents and below still face nothing but a long wide wall and narrow corridor.
- D. Redesign.** KW could add more lodging without blocking more 500 N sun by (1) making its design more compact (not two L-shaped buildings), or (2) making higher floors smaller and more distant from neighbors than lower floors, or (3) concentrating height by the neighbors' parking lots along 5th Street. You might evaluate this as one back-to-drawing-board option, or 3 specific options that preserve daylighting, setback, and some distance view for residents.

³ I took solar elevation for Dec 21 at various times of day was from the NOAA website <http://www.esrl.noaa.gov/gmd/grad/solcalc/azel.html>. From elevation I calculated the zenith (its complement), and using simple trigonometry estimated the amount of shade that would fall on the building those times of day based on the distance and height of the KW building. When the KW building is 80 feet south of 500 N's wall, so 60 feet south of its property line, and the height is 40 feet, then at noon on December 21, 500 N is not shaded. Shading at the 9:40 a.m. midmorning hour and the 2:40 p.m. midafternoon hour, extends 12 and 14 feet up the building, respectively, which would shade the ground floor common rooms but not fully shade apartments. The 500 N swimming pool would keep its summer sunlight. In contrast, KW's plan would 500 N. In contrast KW's proposed midrise would create shade extending 59 to 67 feet up the 500 N Street building during the same time period, and would block most summer sun from the pool.

⁴ At midmorning, noon, and midafternoon on Dec 21, the height of 500 N shaded would be 52 feet, 37 feet, 52 feet, by the same rough approach noted above.

For KW's plan and the alternatives, please evaluate

- a. Daylighting and view for the neighbor buildings, 500 N and Pioneer, especially for residents in the lower 7 floors, in the middle of the buildings.
- b. Wind tunnels created by short distances between tall wide buildings
- c. Loss of old, slow growing urban forest
- d. Loss of passive solar heating and Delta Breeze cooling, for 500 N.
- e. Loss of sunlight and solar heat gain for 500 N swimming pool, lowering pool value while increasing pool heating costs.
- f. Air quality to homes from the parking lots, based on where exhaust will vent and the number of cars in the lot. Does the layout let the City enforce venting into streets or at least away from neighbors?
- g. Water impacts. 500 N was looking to switch to drought resistant plants on its south side but only tropical or temperate rainforest vegetation could support the sort of shade proposed by an 8-story building next door due south.

In addition, please evaluate:

- **Market for downtown development.** If all 1400-1500 units are built, will that preempt building in desired downtown city spots or will there be plenty of demand for all? Will a 20+ story high-rise cause a race to the sky for the highest viewpoint throughout the downtown area? If so, will that cause excess building and enough vacancies to cause bankruptcies and blight? What is the experience of other cities with similar economies at similar economic conjunctures?
- **Traffic:** How will the local streets support traffic when residents of 1500 apartments people drive to work from that spot? Will the project slow an important arterial (5th Street), possibly create gridlock and lengthen commutes? To what economic and air pollution costs? (I expect you can run a traffic model.)
- **Parking:** Most units will have one parking spot, so residents need to work locally or along transit routes. Please evaluate
 - a. Based on the cost of construction, can we obtain rents low enough for downtown workers?⁵

⁵ Note the average state employee earns \$56,600 and the median is considerably lower since the average factors in the large salaries of top level administrators.
(<http://www.sacbee.com/statepay/#req=employee%2Ftop%2Fyear%3D2013>) My anecdotal experience

- b. If rents are not low enough for downtown workers, can we find people willing to rent downtown at Sacramento Commons prices and also willing and able to take transit to non-downtown work places?
 - c. If not, will we get two-car families that spill over into street parking and paid parking structures, and how full are they now? Does that lead to much driving around looking for parking, especially for commuters to downtown? What is the total emissions effect and traffic effect, and economic effect on commuters?
- **Limiting the increase in local automobile use**
 - a. Can bicycle traffic be made safe in the neighborhood?
 - b. This may be a naïve question: Could a sizable pedestrian-used supermarket be required and viable in ground floor commercial space to reduce downtowners' needs to own and use cars? Or would that cause unreasonable truck and traffic issues?

Thank you again for addressing these issues, in addition to the larger set of issues already presented by the Neighbors of Capitol Towers and Villas Comment in response to the Notice of Preparation of SCEA.

By doing a thorough analysis you will give policy makers the tools to choose a right-sized infill plan that meets the needs of the entire downtown area, including close neighbors, and supports the goal of walkable cities.

Request to receive notices: Please email me notice of all hearings, notices and release of public documents pertaining to the Sacramento Commons Project.
(adrienne.kandel@gmail.com)

Thank you.

Adrienne Kandel

as a state worker at 5th and O is that colleagues have rented apartments in walking distance for \$800 to \$1300 a month and have not considered pricier ones.

- Co-owner of unit #707, south side of 500 N Street
- Energy Commission employee working at 1500 O Street (5th and O), and regularly enjoying the public easement area

Adrienne.kandel@gmail.com

Bridgeway Towers Owners' Association

c/o: AMC

1401 El Camino Ave. #200

Sacramento, CA 95815

(916) 565-8060

April 29, 2014

Patrick Taylor, Fire Marshal
Sacramento Fire Department
5770 Freeport Boulevard #220
Sacramento, CA 95822

Scot Mende, AICP, Principal Planner
City of Sacramento Planning Dept
300 Richards Blvd.
Sacramento, CA 95814

RE: Planning Entitlement Application P14-012, dated April 4, 2014
“Sacramento Commons” (11.17 acres bounded by 5th, 7th, N, and P Streets (now known as Capitol Towers and Villas), Applicant: Kennedy Wilson Inc, by David Eadie Assessor's Parcel No. 006-0300-002, -003, and -004

Dear Fire Marshal Taylor and Mr. Mende,

The Application for Planning Entitlement for the “Sacramento Commons” Project was routed to the Fire Department by Planning on April 4, 2014, with a response date of May 6, 2014. A map of the proposed Project is ATTACHED. If approved it would be a massive project comprised of two 22-24 story high-rise residential structures, one 22-24story hotel/condominium or condominium building, two 7-story and one small 5-story mid-rise apartment building, and two large-footprint multi-story parking structures. Bridgeway owners and residents have a number of concerns about the proposed “Sacramento Commons.”

However this letter is limited to the need to remediate a significant potential fire hazard to Bridgeway arising from the wood-frame 7-story apartment building proposed directly next to Bridgeway.

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 and built in 1980. Bridgeway has nine commercial ground-floor condos and 134 residential condo units. The proposed Project includes a

large-footprint 7-story residential building next to Bridgeway, consisting of a one-story concrete parking structure with two separate six-story wood frame structures atop the concrete parking podium, with a total of 225 apartment units. (See project diagram). That wood frame apartment building would run alongside Bridgeway from 5th Street to the former 6th Street, now a public walkway. A representative of Kennedy Wilson Inc (David Eadie) told Bridgeway condo owners and others at a public meeting that this 7-story building would be set back 40 feet from the south wall of the Bridgeway residential building. (See attached project map). In response to concerns raised by Bridgeway condo owners at public meetings, Mr. Eadie was firm that Kennedy Williams would not consider a greater setback from Bridgeway. It appears from the project map that the 7-story building would be even closer to the wall of the Bridgeway parking garage. The proposed Sacramento Commons PUD submitted with the Application requires that buildings be located at least 40 feet from existing buildings, which would be approximately 10-20 feet from the Bridgeway property line and fence.

There is no provision for access for fire trucks and apparatus into the narrow corridor between Bridgeway's fence and garage, and the proposed 7-story mid-rise. A fire on the 7-story wood midrise could easily fry all or a part of the exterior of Bridgeway's south side and its condominium units, and set afire Bridgeway's trees and wood fence, adding to the heat and smoke. The prevailing southerly wind that blows directly against Bridgeway's south side significantly increases the risk to Bridgeway.

Balconies run the entire length of Bridgeway, separated from the interiors of the condo units only by sliding glass doors and floor-to-ceiling windows which could fracture from a fire's heat, thereby admitting heat, embers, and smoke into the interior of condo units. The sliding glass doors are routinely left open for ventilation, making the interior of those units vulnerable to high heat, embers, and smoke from an unanticipated fire next door. Smoke and embers could also be sucked into the interior of Bridgeway via its ventilation system. The fire could easily spread to Bridgeway's wood fence and trees, further intensifying the heat and smoke.

Without fire truck access between the Bridgeway fence line and the proposed wood mid-rise apartment building, the fire department would not be able to promptly put down a fire in that area nor could it deploy aerial fire apparatus or long rescue ladders (mounted on a ladder truck) to evacuate persons trapped on the north side of the wood structure. Fire personnel entering that area on foot could be in danger of entrapment between the burning building and Bridgeway's fence or its parking garage wall.

For obvious safety reasons, Bridgeway HOA asks that the City require a driveway reserved exclusively for fire truck access along the entire north side of the proposed 7-story mid-rise, between Bridgeway and the mid-rise building, compliant with the California and Sacramento Fire Codes and site specific needs.

At minimum the California Fire Code requires an unobstructed 26-foot wide hard surface fire access road or driveway alongside the entire length of the building between the Bridgeway property line and the 7-story wood mid-rise, reserved exclusively for fire truck access, and blocked to other vehicles. The fire access road must be at least 15 feet from the building. (California Fire Code 503.2.1, 503.2.2, 503.5, 5.11.1, , Appendix D, §104.1, D105.1, D105.2, D105.3, D106.1, D106.2.)

The Sacramento Fire Code appears to require a fire hydrant located alongside the fire access driveway, midway between 5th St and the 6th Street walkway, or where the fire access road intersects with 5th Street. (Sacramento Fire Code Table No. C105.1.)

Due to the size of the proposed wood structure, its number of residents (225 units), and its proximity to Bridgeway, we urge that the City require more hydrants than normal. The shorter the hose lay, the quicker the response, which would be time-critical.

Per City fire requirements, the fire access road and hydrant must be installed before combustible construction materials (such as wood) are brought onto the site. (Sacramento Fire Department information sheet titled “Fire Access and Fire Hydrants” on Fire Department, Fire Prevention, Fire Dept Development Services Unit website.)

We also respectfully urge that the Fire Department require that the developer post at least one security guard on the site of each proposed wood frame structure at night and other times that construction workers are absent, from the date that flammable construction materials (such as wood) are brought to the site, until the building is completed and all automatic fire sprinklers are installed and fully operational. Flammable materials (such as wood) on a construction site are vulnerable to fire caused by transients or other causes, which has occurred more than once in Sacramento.

Fire apparatus access to the existing 2-story Capital Villas unit next to Bridgeway is provided by a parking lot from 5th Street, and from the 6th Street walkway and a large lawn next to Bridgeway. Both would be eliminated by the proposed project.

The City Planning Department should require additional space between the Bridgeway property line and the fire access road to successfully accommodate a line of tall fast-growing trees (such as redwoods or sequoias) to provide visual screening between Bridgeway and the 7-story mid-rise. The project diagram shows such a line of trees.

We do not speak for the owner, (Retirement Housing Foundation, based in Long Beach) and residents of Pioneer Towers, an 11-story 198-unit concrete residential apartment building reserved exclusively for seniors, at the northeast corner of 5th and P Streets. However we note that the project diagram proposes another 7-story wood frame mid-rise apartment building immediately north of the Pioneer Towers fence. The potential fire hazard is similar to Bridgeway’s, except that many Pioneer Towers residents have

impaired mobility and would have difficulty evacuating without assistance. Seniors with respiratory ailments may suffer damage from the effects of smoke that would be created by a fire in the proposed 7-story wood mid-rise. The City should require adequate access for fire apparatus between the 7-story midrise and the boundary/fence of Pioneer Towers, to comply with the State and City fire codes.

Thank you for considering our request. If you wish to discuss our request please contact Jim Pachl, 500 N Street #1403, Sacramento, CA 95814, 916-444-0910, email jpachl@sbcglobal.net. Please let us know your decision on these issues.

Very Truly Yours,

William H. Hunter, Secretary
Bridgeway Towers Owners Association

Cc:
City Councilperson Steve Hansen
Community Development Director Max Fernandez

Bridgeway Towers Owners' Association

c/o: AMC

1401 El Camino Ave. #200

Sacramento, CA 95815

(916) 565-8060

May 9, 2014

Scott Johnson, Associate Planner
City of Sacramento
Department of Environmental Planning
300 Richards Blvd, Third Floor
Sacramento, CA 95811

Scot Mende, AICP, Principal Planner
City of Sacramento Planning Dept
300 Richards Blvd, Third Floor
Sacramento, CA 95811

Response of Bridgeway Towers Owners Association to the Notice of Preparation of a Sustainable Communities Environmental Assessment for the proposed "Sacramento Commons" project.

Dear Messrs. Johnson 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. Bridgeway has 134 residential condominium units and nine commercial ground-floor 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 in the future of downtown. The proposed Sacramento Commons project and the impacts of the project's construction could very substantially affect Bridgeway Towers, and the owners and residents of condominium units in Bridgeway.

The Bridgeway Towers Board of Directors believes that the letter of the Neighbors of Capital Towers and Villas, dated May 1, 2014, and submitted as response to the NOP,

expresses the well-founded concerns of many Bridgeway owners and residents regarding this proposed project. We also endorse the excellent and very well researched two-part letter by Sacramento Modern, dated May 6, 2014. We ask that the City seriously take these concerns into consideration in its decisions regarding the proposed project and in its environmental review of the project.

We wish to add the following concerns that deserve very thorough review and consideration by the City:

1. We have serious concerns regarding the very real potential fire hazard arising from the proposed construction of a large 7-story wood frame apartment structure next to Bridgeway, and a similar threat to Pioneer Towers. Pioneer Towers is senior housing with a large population of seniors having impaired mobility and vulnerability to the effects of smoke. We are especially concerned about the potential fire hazard arising from the large quantity of unassembled or assembled wood on the site during construction, which would be very vulnerable to arson or accidental fire. An around-the-clock fire watch should be placed at each site of wood construction or storage until the wood buildings are completed and fire sprinklers are installed and operational. Our letter addressed to the Fire Department dated April 29, 2014, which stated these concerns and urged measures to reduce the threat, will be separately forwarded to the City's environmental coordinator as a comment on the NOP.

2. 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.

3. 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.

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.

Please send notices of all hearings and availability of documents pertaining to this project to the Bridgeway Towers Owners Association, c/o AMC, 1401 El Camino Ave, Suite 200 Sacramento, CA, 95815.

Very Truly Yours,

William S. Hunter, Secretary
Bridgeway Towers Owners Association

Enclosures: (to Scott Johnson, Dept Environmental Review)
Letter of Neighbors of Capitol Towers and Villas to City, May 1, 2014
Letter and Fact Sheet of Sacramento Modern to City, May 6, 2014
Letter of Bridgeway Towers Owners' Association to Fire Dept, April 29, 2014

Cc:
City Councilperson Steve Hansen

April 28, 2014

Scott Johnson
City of Sacramento, Community Development
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Dear Mr. Johnson:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of a Sustainable Communities Environmental Assessment (SCEA) for the Sacramento Commons Project (P14-012).

The State Department of General Services (DGS) oversees approximately 18.9 million square feet of office space in both state-owned and leased facilities in the Sacramento region and is responsible for administering the Capitol Area Plan, which guides the development of state facilities and new residential units on state-owned land within 42 blocks in downtown Sacramento known as the Capitol Area. The Capitol Area is bounded by 5th Street to the west, 17th Street to the east, L Street to the north, and R Street to S Street to the south (from 10th to 19th Streets up to the railroad right-of-way).

DGS recognizes the proposed residential mixed-use infill development project would be consistent with key planning objectives contained in the Capitol Area Plan by providing a higher density of residential units near public transportation, including neighborhood-serving retail uses in the development, enhancing pedestrian walkways, and providing opportunities for live-work space.

The State of California has a vested interest in the proposed project as it may potentially affect not only the Central Plant, which provides heating and cooling for state office buildings as pointed out in the NOP (located immediately south of the project site), but also a number of state office buildings located at various points around the perimeter of the approximate four-block area that contains the proposed project site. These state office buildings include the Employment Development Department (EDD) Solar and Subterranean buildings to the north and east (751 N Street), the Board of Equalization Headquarters to the northwest (450 N Street), Office Building 8 to the southwest (714 P Street), Block 204, a future state office development site (located east of the project site), and the California Public Employees Retirement System building to the southeast (400 P Street).

Potential long-range areas of concern include land use and planning, public services, recreation, and transportation and circulation impacts related to construction and operation of the proposed project.

- Land Use: open space proposed for the project should address potential impacts of increased resident pedestrian traffic spilling over and using nearby state facilities to “hang out”; ideally the project should not conflict with or impact existing land uses downtown.

- Public Services: the impact on law enforcement and fire protection services to state facilities should be addressed: will service levels downtown remain the same and thus be more diluted due to an increased population?
- Recreation: the project should address potential impacts to existing downtown parks and potential overcrowding in parks due to increased resident populations that may affect downtown state employees and visitors to state facilities.
- Transportation and Circulation: notwithstanding the urban site location and availability of nearby public transportation, the higher overall residential density onsite (a net increase of approximately 1,200-1,300 dwelling units) could affect traffic levels on local streets and at intersections (and possibly on nearby freeway on and off ramps) during peak traffic hours. Potential impacts to local parking availability should also be evaluated.

Potential construction-related impacts are of concern to state employees and staff located at nearby state offices and facilities. During the demolition and construction phases for this project, potential impacts to neighboring buildings and occupants may include noise, vibration, dust, traffic and circulation, and related safety issues. Additional information related to project phasing, construction schedules, and the location of construction staging areas is needed to evaluate these issues.

Architectural design plans should be reviewed for solar reflectivity that might occur and potentially create issues for neighboring buildings, passing traffic, and pedestrians. Project review should also include consideration of incorporating some component of affordable housing units within the proposed housing mix in the development.

As this project proceeds through the environmental review and planning processes, DGS is requesting the opportunity to review the Initial Study and supporting documents, the SCEA, and any mitigation measures or alterations to the project that are incorporated to avoid or mitigate potential impacts. Please also advise of any changes or updates to this important local project. If you have any questions please do not hesitate to call Jane Hershberger on my staff at (916) 375-4677.

Sincerely,



Angela Verbaere
Assistant Chief
Asset Management Branch

cc: Cathy Buck, Supervising Real Estate Officer, Real Estate Services Division, Asset Management Branch
Valerie Keisler, Energy and Environmental Unit Manager, Project Management and Development Branch

Commons does not qualify as a TPP or for streamlining provisions under SB 375 regarding traffic impact analysis, based on the project's location and potential for significant traffic impacts, Caltrans requests a Traffic Impact Study (TIS) to assess the impact of Sacramento Commons on the State Highway System and adjacent road network. We recommend using Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS Guide)* for determining which scenarios and methodologies to use in the analysis. The *TIS Guide* is a starting point for collaboration between the lead agency and Caltrans in determining when a TIS is needed. It is available at the following website address:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.

If the project proponent does not analyze traffic impacts to the SHS, please provide details in the SCEA on how this project will advance the planned projects of the MTP/SCS, including transit, bicycling, and pedestrian facilities. This may potentially be achieved by making financial contributions to a corridor fee program.

Caltrans is supportive of transit-oriented development and improving the jobs/housing balance throughout the region. However, the appropriate transportation infrastructure that supports more compact land uses (such as enhanced transit, bicycling, and pedestrian facilities) must be in place in order to support the viability of more compact development. Making infrastructure and operational improvements to these modes of travel will reduce demand on the SHS, thereby reducing the impacts to the SHS, and realize the vision of the MTP/SCS. Using the streamlining provisions of SB 375 does not exempt development projects from making necessary infrastructure and operational improvements.

Traffic Management Plan

Part of the proposed project is demolition of an existing 206 dwelling unit structure and construction of two high-rises that will be over 20 stories which could potentially require a traffic management plan for the removal of debris and delivery of large structural components. Mitigation Measure TRN-3 of the SACOG MTP/SCS provides for the application of best practice strategies to reduce the localized impact from construction activities on the transportation system for impacts (TRN-7) resulting in construction activities that interfere with ongoing operations of the regional or local area transportation system. If it is determined that traffic restrictions and detours are needed on or affecting State highways, a TMP or construction Traffic Impact Study may be required of the developer for approval by Caltrans prior to construction. TMPs should be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address:

<http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd2012/Part6.pdf>.

Parking

The project as proposed provides more parking spaces than the number of planned dwelling units. As demonstrated by other recent projects in the vicinity of this project, there are thousands of parking spaces within short walking distance of this project that are underutilized. Limiting parking at the Sacramento Commons development will help reduce the number of vehicles on the roadways

Mr. Scott Johnson / City of Sacramento, Community Development Department
May 12, 2014
Page 3

and encourage the use of transit, walking, and biking. Please provide an analysis of parking in the SCEA, focusing on how this project helps achieve the vision of the MTP/SCS.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Arthur Murray, Intergovernmental Review Coordinator at (916) 274-0616 or by email at: Arthur.Murray@dot.ca.gov.

Sincerely,



ERIC FREDERICKS, Chief
Office of Transportation Planning – South

c: Scott Morgan, State Clearinghouse

Scott Johnson

From: Roberta Deering
Sent: Wednesday, April 16, 2014 9:29 AM
To: cmcmorris@jrphistorical.com; Chandra Miller (cmiller@jrphistorical.com)
Cc: Scot Mende; Scott Johnson; Scot Mende
Subject: FW: Capitol Towers - architectural relevance

FYI, below.

ROBERTA DEERING, LEED AP
Preservation Director
City of Sacramento, Community Development Department, Planning Division
300 Richards Blvd., 3rd Floor, Sacramento, CA 95811
E-mail: rdeering@cityofsacramento.org Phone: (916) 808-8259
Department WebSite: <http://portal.cityofsacramento.org/cdd>

E-mail correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

From: ckella@comcast.net [mailto:ckella@comcast.net]
Sent: Tuesday, April 15, 2014 11:19 PM
To: Scot Mende
Cc: Roberta Deering
Subject: Capitol Towers - architectural relevance

Scott, Roberta,

My apologies for the delay in this.

I mentioned and meant to send much earlier this link to the study for Stern Hall, authored just a year after the draft JRP study for Capitol Towers.

By comparison, the linked study for Stern Hall designed by Wurster at the University of California, Berkeley, comes to a strikingly different conclusion. http://www.cp.berkeley.edu/CP/PEP/History/HistoricReports/HSR/HSR_SternHall_final_March2009.pdf

While its research method initially appears reasonably thorough (but note the more extensive work performed for UC at Stern Hall), JRP's manner of synthesizing and interpreting the materials it reviews appears distorting and intentionally minimizing of the relevance of facts and relationships which it reports upon.

For instance, while citing precedents at Radburn, NJ, (which I had earlier mentioned to you without seeing JRP's study), the JRP study fails to note the extent to which Capitol Towers builds upon Radburn, bringing 'light, air, and open space and vehicular/pedestrian separation' to a more urban context. This is quite relevant, and for the era and even today, quite rare, the Washington, DC East Capitol Park example notwithstanding. And, this type of planning is a path-breaking element for the California context which at the time was overflowing with 'spread city suburban development', and which as I believe I also mentioned, would be followed by and stands as a precedent for, the even more urbanized approach taken by Wurster and DeMars & Reay at the Golden Gateway Center in SF.

Thus, for the JRP report to conclude per criterion C, pg 57, that Capitol Towers, "does not have sufficient importance for its architecture / planning or association with prominent designers" is patently false, when one compares this study to the findings for Stern Hall.

Similarly, the JRP report attempts to minimize the design approach of Capitol Towers as 'among many multi-unit garden apartments and public housing' types of the era. First this is a false allusion to Public Housing. Capitol Towers is not Public Housing, it was privately financed, FHA insured multifamily housing under FHA's program for moderate and middle income households. There were no subsidies involved, other than the subsidies of the Redevelopment program which paid for effective land and demolition costs--these to equalize the costs of re-development to that of market comparables for vacant land construction. If Capitol Towers was simply another multi-unit garden apartment of the era, it would not have received the recognition that it did by the 1st honor award by Progressive Architecture magazine.

Elsewhere, the JRP study attempts to marginalize the architecture as 'mediocre'--a value judgement made by JRP's author and not supported by further references or expertise.

In short, while the JRP study appears reasonable but not as thoroughly researched as the Stern Hall study, it nevertheless appears to be an overt effort to trash Capitol Towers' historical, architectural, and planning relevance. In particular, while minimizing Capitol Towers' architectural relevance, JRP fully fails to draw a connection to its planning relevance, and the fairly unique synthesis of planning, housing, art, and landscape architecture in its urban context. Rather, they simply state that others were doing it elsewhere (in very limited and different contexts). Moreover, while citing certain failed experiments of a supposedly similar nature of the era (Capitol Park in Southwest Washington, DC, in fact has succeeded from the last that I have known of it over the past 40 years), Capitol Towers, over time despite its perhaps slow start has essentially proven its marketability and success to the downtown context.

Thus, despite some missing elements such as a grocery store nearby, it is increasingly succeeding as the demand for urban-in-town housing increases in a new era. i.e., it may have been somewhat premature, and other planning elements were not sufficiently enabled in its initial phases.

The JRP study overstates relevance of changes--see Stern Hall study and how this is treated. I just noted that the new owner is continuing to make changes, having filled in the risers of the stairs, nullifying the transparency effect in the stairwells. This is reversible, but may be a code issue, and if so, could still be treated in a more harmonious manner or respective of the original design intent (e.g. plexiglass risers).

Re Wurster's relevance, besides being a Fellow of the AIA, he was also a Gold Medal recipient (see Stern Hall evaluation). As can be evidenced by googling up the AIA's website, the Gold Medal was an honor reserved for the likes of Frank Lloyd Wright, Mies van der Rohe, Richard Neutra, and other architectural luminaries. Julia Morgan is just now receiving the honor posthumously this year. <http://www.aia.org/practicing/awards/AIAB089452>

The Gold medal award and its company should substantially contribute to the evidence to meet Criterion C: that Capitol Towers is "the work of a master" and possesses high artistic (and planning) value, noting as well the balance of contributors to its execution.

In short, the JRP study while citing certain relevant concepts of the era, otherwise attempts to minimize their connection to the Capitol Towers design and Wurster's significance. At page 57, JRP

employs a linguistic trick. In denying its relevance per Criterion 3, they state, ". . . it is not **the** important work of a master, and it does not possess high artistic value". It is in fact an important work of a master. The importance is demonstrated in part by the honor it received by PA, not to mention the evolutionary aspects which it represents in planning and design methods, particularly their rarity for California, and, it being the work of a master evidenced by Wurster's Gold Medal not referenced anywhere in the study.

Consider, the few works of true architectural masters in Sacramento as opposed to say, San Francisco, Oakland, Berkeley, Sausalito, or even Petaluma. There are less than a handful of major architectural masters' works in Sacramento: Willis Polk (WP Depot/Spaghetti Factory); Julia Morgan (Sheaton, T Street residence), and Gwathmy Siegel (Crocker Art Museum annex). Dreyfus and Blackford's work is significant, but not of the international significance as Wurster's or the others above mentioned.

Scott and Roberta, I would be pleased to walk you through the site and provide more concise examples of the relevance of the design's particulars, and how these differentiate the project and its designers from more conventional architecture of the era, its relationship to Sacramento's context and some of the planning and design concepts embodied therein. Some of this I just shared with Alan LoFaso today while touring the site with Jim Pacht and a small group.

Best regards,

Carr

CARR KUNZE
835 Commons Drive
Sacramento, CA 95825
(916) 375-9644

May 12, 2014

Scott Johnson, Associate Planner
City of Sacramento
Department of Environmental Planning
300 Richards Blvd., Third Floor
Sacramento, CA 95811

CITY OF SACRAMENTO
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MAY 12 2014

RECEIVED

Scott Mende, AICP, Principal Planner
City of Sacramento Planning Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Response to the Notice of Preparation of a Sustainable Communities Environmental Assessment (SCEA) for the Proposed "Sacramento Commons" Project

Dear Messrs. Johnson and Mende,

Until this past December, my wife and I had been residents of Governor's Square for the past 8+ years. As a housing specialist, with degrees in urban planning and architecture, I have been quite familiar with William W. Wurster's work, together with that of his colleagues Vernon DeMars, Donald P. Reay, and Lawrence Halprin, and the significance of their collaboration at Capitol Towers.

This letter is a full endorsement of the entirety of the points and issues raised in the Responses to NOP of Neighbors of Capitol Towers and Villas of May 1, 2014, The Bridgeway Towers Owners' Association of May 9, 2014, and letter of Sacramento Modern of May 6, 2014. This letter makes selected additional points.

A SCEA calls for evaluations of potential impacts against a range of factors. I will speak to 4 or 5 of these:

- Aesthetics and Cultural Resources The loss of Capitol Towers to the proposed PUD designation and development would likely become a more devastating loss to Sacramento's cultural and historical fabric than that of the Alhambra Theater. There is precious little architecture of significance in Sacramento—far less proportionately than in several northern California cities of comparable or even smaller size. Only recently, has Sacramento added a notable work, the Crocker Art Museum Annex by an architectural firm, Gwathmey-Siegal, of stature approaching that of the Wurster team at Capitol Towers. The proposed work of 'Sacramento Commons' is most unlikely to rise to

comparable stature, will create an urban canyon and defeat many of the planning concepts and amenities that are publicly shared at Capitol Towers by its residents, neighbors, and nearby downtown workforce that walk through it.

- Land Use and Planning Capitol Towers was conceived of as a planning totality, including the subsequently constructed Pioneer Towers, and Bridgeway Towers. It was advanced for its time, building a more urbanized version of the Radburn Concept, and stands today as valuable urban asset. Its only predecessor in California is the more suburban Baldwin Hills in Los Angeles. Capitol Towers was conceived before the formal emergence of PUD's in the City's code. However, its intentions fulfilled the PUD concepts. The ill-considered rezoning a few years ago was likely a mistake and misunderstanding of the densities that were granted to Pioneer Towers and Bridgeway Towers, and rather, in inference that comparable densities should be applied to the Capitol Towers parcels, while the original intent was to see the densities of the superblock as a composite, yielding an intended average. It was not meant for further, and inappropriate, infill.
- Noise The residents of Pioneer Towers, Capitol Towers, and Governor's Square have recently endured the noise (including work performed before sanctioned hours) in the demolition and reconstruction of the ill-considered State Power Plant bounded by P, 6th, Q, and 7th streets. It should also be noted that the Power Plant resulted in the unreplaced loss of a vest-pocket park-like open space and the superior, also architecturally noteworthy design, of the plant built in the 60's. Seniors residing at Pioneer Towers also more recently endured the impacts of updates and remodeling of that structure as well. The proposed high rises and mid-rises, even if phased over a few years, will cause more physically and emotionally damaging noise to the area and its residents. This is the wrong environmental response to be imposed on an existing neighborhood over such a continuous period of time.
- Population and Housing The proposed development of 'Sacramento Commons' will result in significant displacement. This needs to be carefully assessed and reconsidered as to its impacts on the individuals as well as the downtown workforce fabric. Capitol Towers serves a mix of incomes, largely moderate income family and unattached households as well as seniors. Its conversion to higher density and higher-end rental and condominium development will result in the dislocation of moderate income households to other parts of the outer city or its suburbs, defeating the very 'transit oriented' intentions that the developer has represented that it will be promoting. At a time when our rental housing stock and moderate income households are already under stress from the recent financial disruptions and housing downturn and with a greater tightening of the moderate income serving rental housing stock pending, the development of Sacramento Commons without off-setting housing in the immediate area or the incorporation of affordable housing into the scheme will have a perverse, non-transit friendly, result. Sacramento has inadequate plans and means of assuring affordable housing for moderate income households proximate to their places of work in the downtown area. Thus, the 'Sacramento Commons' proposal is a mockery of the notion of sustainability.

- Recreation Capitol Towers provides park-like esplanades and setting serving the neighborhood and workforce. The proposed token replacement park and narrowing of the central esplanade will result in the continued diminution of park-like spaces (including the above referenced loss at the power plant), that had been enjoyed and shared by so many Sacramento residents of the neighborhood. Again, this is the wrong concept in the wrong place when more appropriate revitalization of underserving, poorly designed, and outdated office structures could be undertaken in the adjacent area.

Your kind consideration of these comments on the NOP for Sacramento Commons is greatly appreciated.

Respectfully submitted,



Carr Kunze

Cc:

City Councilperson Kevin McCarty

City Councilperson Steve Hansen

Jim Pachl, Neighbors of Capitol Towers and Villas, and Bridgeway Towers Owners Association.

Gretchen Steinberg, President, SacMod, and its Board of Directors



May 12, 2014

Scott Johnson, Associate Planner
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Submitted Electronically: srjohnson@cityofsacramento.org

**Re: Notice of Preparation of a Sustainable Communities
Environmental Assessment for the Sacramento Commons Project
(P14-012)**

Dear Mr. Johnson,

My comments are those of the California Preservation Foundation, the only statewide nonprofit organization dedicated to the preservation of California's diverse cultural and architectural heritage. Established in 1977, CPF works with its extensive network to provide statewide leadership, advocacy and education to ensure the protection of California's diverse cultural heritage and historic places.

The Sacramento Commons Project was brought to our attention by Sacramento Modern (SacMod). We concur with their statement that the Sacramento Commons Project does not qualify for the preparation of a Sustainable Community Environmental Assessment (SCEA).

California Public Resources Code section 21155.1(a)(5) does not allow the use of the SCEA process if the transit priority project has a significant effect on a historical resource. Furthermore, CPRC section 21155.2 (7) states "the lead agency's decision to review and approve a transit priority project with a sustainable communities environmental assessment shall be reviewed under the substantial evidence standard".

SacMod has provided substantial evidence, in the document titled *Fact Sheet: Architectural History of Capitol Tower and Garden Apartments*, that Capitol Towers and Garden Apartments is a significant cultural resource and that demolition will result in a significant effect on the

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EXECUTIVE DIRECTOR
Cindy L. Heitzman

environment. This evidence necessitates the preparation of a full Environmental Impact Report.

We acknowledge that the Community Development Department relied on the conclusion of the July 2008 Historic Resource Inventory and Evaluation Report for the Capitol Towers Apartments (prepared by JRP Historical Consulting, LLC, for Bond Companies of Los Angeles) to make the statement in the NOP that “the City does not anticipate the project will either directly or indirectly lead to significant impacts that cannot be mitigated to a less-than-significant level”.

The JRP report is thorough and well documented, however it predates the current momentum and interest in mid-century architecture that has increased our society’s knowledge and appreciation of this era. There has been no public opportunity to debate the merits of the 2008 report. A peer review of the JRP report is warranted. There has been a significant increase in appreciation for mid-century modern architecture since 2008, when the study was prepared. SacMod, a community based organization with the purpose of increasing appreciation of of mid-century architecture, was not incorporated until 2010 and should now be given the opportunity to comment on the findings of the report.

Preparation of an EIR is required and alternatives to the project must be analyzed. As SacMod has pointed out, these alternatives should include:

1. A renovation alternative whereby the existing development is retained and the historic design is respected.
2. A project with density added to the project site that respects the historic design and original master plan.

Furthermore, any new construction should compliment Capitol Towers. The exterior of Capitol Towers should not be redesigned to compliment new development.

The EIR should also include a complete analysis of greenhouse gas emissions. The greenest building of all is that building which is already constructed. The analysis should compare the GHG emissions resulting from the demolition of the Garden Apartments and the new construction of the new project (including sourcing and shipping of all construction materials) to a project that is limited to renovation of the existing structures.

The Capitol Towers and Garden Apartments, as currently configured, meet the standards of a Transit Priority Project. It does not make sense to remove one TPP to construct another. The energy required to do the project should be spent on a site that is in need of redevelopment and designed to become a TPP.

In summary, we encourage you to find that the Sacramento Commons Project does not qualify for the preparation of a Sustainable Community Environmental Assessment (SCEA) and to proceed with the preparation of a full EIR pursuant to CEQA.

Please keep California Preservation Foundation informed of the progression of the Sacramento Commons project.

Sincerely,

A rectangular box containing a handwritten signature in cursive script that reads "Carol Poole".

Carol Poole
Special Projects Manager
cpoole@californiapreservation.org
cpoole1135@yahoo.com

cc: Gretchen Steinberg, SacMod (sacramentomodern@comcast.net).



Central Valley Regional Water Quality Control Board

9 May 2014

Scott Johnson
City of Sacramento
300 Richards Boulevards, 3rd Floor
Sacramento, CA 95811

CERTIFIED MAIL
7013 1710 0002 3644 1875

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION, SACRAMENTO COMMONS (P14-012) PROJECT, SCH# 2014042032, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 10 April 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation* for the Sacramento Commons (P14-012) Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento



Post Office Box 1526 • Sacramento, CA • 95812 • (916) 444-0022

May 12, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department,
300 Richards Blvd., Third Floor, Sacramento, California 95811
Email: srjohnson@cityofsacramento.org

Re: Comments on the Sacramento Commons Project (P14-012) Notice of Preparation

Dear Mr. Johnson,

The Environmental Council of Sacramento (ECOS) supports infill development. However, certain livability and sustainability issues must be addressed in the environmental document to demonstrate that this property is appropriate for the proposed use and the application of Sustainable Communities Environmental Assessment (SCEA) process rather than the CEQA process.

Housing and Land Use

The environmental document should review the proposed project for consistency with policies relating to mix of housing types and providing housing for low income residents. The project intends to provide a “variety of housing types meeting the needs of a broad segment of the population” yet the current Mixed Income Housing Ordinance would not apply to this project. Neither would the proposed draft of the Ordinance, which exempts development with 40+ units per acre. We believe this is misguided. Density is not a substitute for affordability, and density alone does not ensure affordability for households of various incomes. Omitting regulated affordable units from the project will have severe impacts in terms of greenhouse gas emissions and social equity.

The project proposal correctly identifies the need for housing that is located near jobs, however, the benefits of added housing in an area with more jobs than housing are only realized if the type of housing created matches the type of jobs available. Too often mixed-use projects provide relatively expensive residential units above and relatively low-paying jobs in the neighborhood-serving retail beneath. New homes near transit, services and jobs best reduce greenhouse gases when they are affordable.

Transit areas such as the proposed project site tend to gentrify, pushing out long-time, lower-income residents who can no longer afford to live there. This in turn increases greenhouse gas emissions. Lower income residents who use transit at a higher rate than the general population are replaced by higher income households who tend to continue to own cars when they move into transit-oriented development. We cannot afford to displace lower income residents as transit-rich locations become more expensive to live in.

The proposed project will replace the existing neighborhood, which is already residential, dense and walkable enough to qualify as a transit priority project. Replacing residential units, even with units designed for the same income levels as the existing housing, leads to more expensive homes. Unless it is heavily subsidized, new housing is not as affordable as older housing. The

environmental document should provide a review of the income levels the new residential units are expected to serve.

Trees

The project site contains green space that is important to the neighborhood, including heritage trees. Mature trees best absorb carbon dioxide and shade streets, reducing the urban heat island effect and encouraging walking. The environmental document should address the effect of the project on Sacramento's urban tree canopy.

Transportation and Circulation

The project site has excellent transit access and adequate street capacity for the proposed uses. ECOS is glad to see that the overall plan has been modified to accommodate a public way through the site, keeping it from being an obstruction to a walkable grid. There should be a study to see if the sidewalks, and particularly nearby intersections, can handle the presumed additional foot traffic. We understand that the applicant intends to place bike parking racks in the project. The environmental document should detail the number and location of these racks, to ensure that there is sufficient bicycle parking for both residents and customers.

In order to reap the maximum benefit from the site's proximity to transit, the parking ratios and strategies used by the project deserve careful consideration. Parking is one of the most important development issues influencing transit ridership -- as parking availability increases, public transportation ridership decreases.

The current residential parking ratios used by the project do not seem to reflect the project's transit assets. Sacramento Regional Transit's "Guide to Transit Oriented Development" recommends a parking ratio of .75 spaces per unit in the urban core/downtown, yet the project proposes using a ratio of 1 space per residential unit. Oversupplying parking in transit-oriented development harms housing affordability because it drives up occupancy costs, since parking is bundled with rent payments. Parking oversupply also encourages developers to build larger residential units in order to recapture the costs of building required parking. Lower parking ratios, particularly for residential units, should be considered and analyzed from a trip generation perspective.

Mixed-use development offers unique opportunities for innovative parking strategies. Unused parking spaces in residential development are rarely shared with other uses because of the desire to control access to the parking. This missed opportunity causes high rates of parking vacancy, particularly when the residential parking and the retail/commercial parking have different peak use times. We recommend the project pursue shared parking opportunities, in terms of legal agreements and design features.

SCEA Applicability and Plan Detail

ECOS is concerned that the SCEA process may not be applicable to the project. Subsection (b) of the California Public Resources Code section 21155.1 states that a transit priority project must be less than eight acres in total area and contain fewer than 200 residential units, neither of which is true of the Sacramento Commons project as proposed. This project's size and complexity in combination with the standards for a SCEA process set a high bar for detail of review required. The project's NOP does not provide sufficient information about the project and its environmental effects, and in particular, the "prior applicable EIRs" that would be used to evaluate project's likely impacts. This site has seen multiple unsuccessful proposals for high-rise development to replace the garden apartments currently located on this site. Given this

history and the nonspecificity of the current proposal, this application may be premature. The issues to be addressed in the draft EIR cannot be completely identified until detailed plans are developed for the entire property.

Conclusion

ECOS want to see this development become a livable and sustainable community and the above comments are provided in that spirit. We hope the advantages afforded by the SCEA process will inspire the City and applicants to create the best possible projects. We believe that the issues raised above must be addressed and adequate mitigation measures identified in the Draft Environmental Impact Report. Thank you for providing the opportunity to comment, and please do not hesitate to contact us if we can provide further clarification.

Sincerely,

Ron Maertz

Ron Maertz
Land Use Committee Chair

Received by Staff: 07/24/14 at 3:15 p.m.

On Jul 22, 2014, at 11:52 PM, Hilary West wrote:

Commissioner Burchill:

I am a long time resident of Birdgey Towers - and a 20 year resident of Sacramento Central City.

Please consider these points and my opposition to the project in your deliberations.

Here are some points that I would like to make:

The Beverly Hills investment firm's proposal completely ignores the easement that protects the south side of the building in which I live and proposes to put an 8 story building 40 feet from our south wall on this easement.

The land speculator proposes high rise towers that are 180 percent of the City's bulk standard for Central City towers. This is not only not in keeping with the spirit and the letter of the Official Community Plan it is not in keeping with development best practices.

The company from Southern California who have never built anything, proposes removal of over 200 trees, promising to save only three heritage trees on site, with a vague possibility that other heritage trees may be able to survive the onslaught of construction. At least 19 trees in the pedestrian promenade and plaza designed by Lawrence Halperin, would be removed.

Kennedy Wilson, the land investment firm proposes to place into parcels a "superblock" assembled by the City Redevelopment Agency in California's first residential redevelopment after WWII. These parcels are also not in keeping with the traditional or planned use of this area and moreover the sell off of the parcels later could result in clearcutting, destruction of 206 well maintained historic garden apartments and even "holes in the ground" as we have experienced elsewhere in downtown.

The project is speculative and destructive of a healthy and successful historic central city neighborhood. By the way, are there others? The answer is NO. Don't destroy this one.

I know many people are interesting in "in-fill" projects. And that is understandable. However, many would argue that this is **NOT A SMART "IN-FILL" project** for the reasons stated above and dozens of other reasons. To take a workable, mature and exemplary neighborhood and allow some investors from Beverly Hills destroy it makes no sense. it's not good planning, and in fact it would help set the downtown revitalization desired by so many back by dozens of years.

Please don't make the mistake that many cities have made - listen to the local residents who have invested their time and money - their hard earned money - and as you proceed with the Arena (and it's residential units) and the Railyards (and it's residential units) - wait and see what should be done (if anything) with the N Street area until those projects are completed and sold.

Thank you.

Scott Johnson

From: HEALON KNIGHT [REDACTED] >
Sent: Wednesday, April 16, 2014 1:05 PM
To: capitol towers.assist@fpimgt.com; capitol towers@fpimgt.com; capitol towers.leasing2@fpimgt.com; Anita.Mendoza@fpimgt.com; Receptionist@fpimgt.com; Stacia Cosgrove; Scott Johnson
Subject: Capitol Towers New Residential Community - Capitol Villas Future Demoliation regarding the New Downtown Sacramento Arena Building
Attachments: Flyer-Notice-City of Sacramento Letter.pdf

To All:

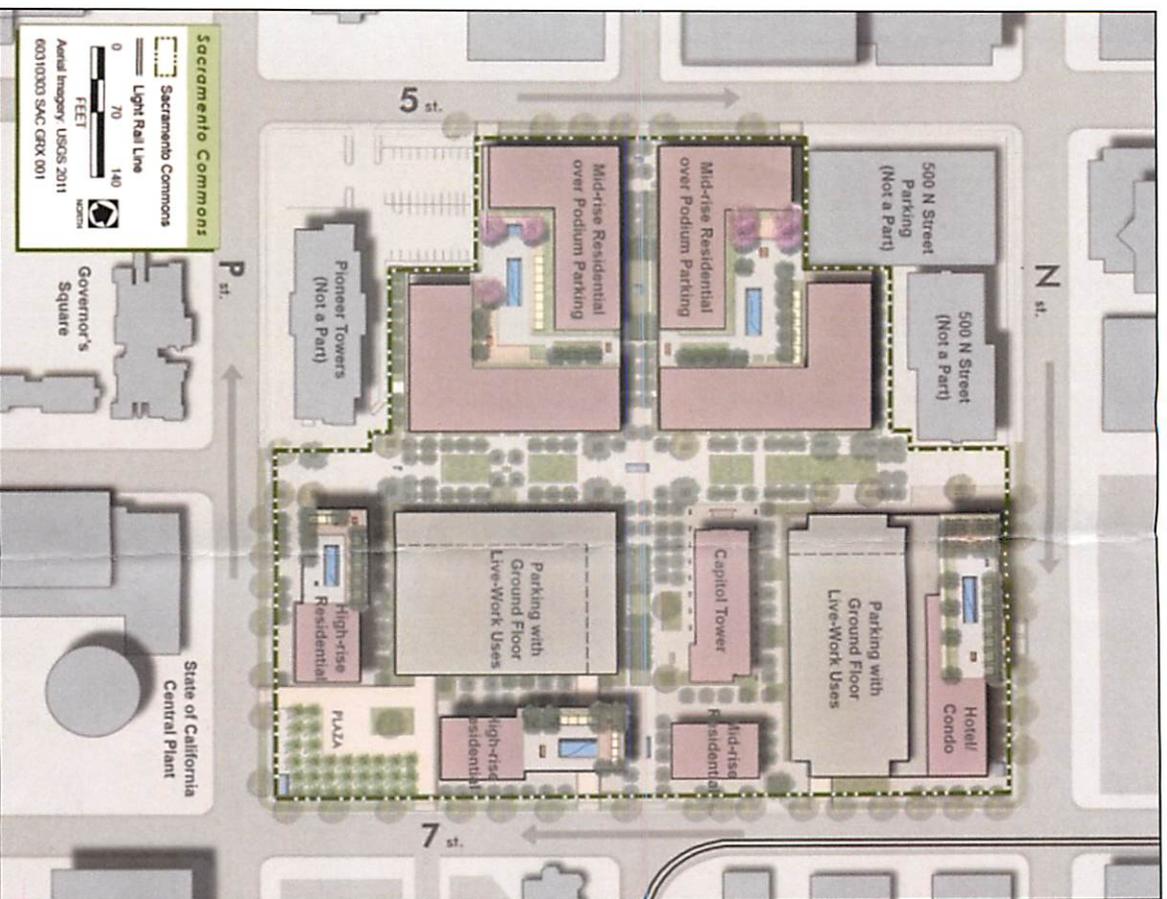
My name is Ms. Healon Knight. I currently live at [REDACTED] and work for the Federal Government in Downtown Sacramento. I have lived at this location since 2009. I have always paid my rent on time and inform the staff of any problems that I noticed. However, I am hearing, reading articles on the Internet and being sent notices by the City of Sacramento Community Development Dept. that there will be a new residential housing renovations due to the new Downtown Sacramento Arena being built. On yesterday, a co-worker at my job told me that she heard on a local news station about tenants being given eviction notices at Capitol Towers. I did not hear this and just paid my rent on April 1st. This alarmed me because I have not been told anything about being evicted or my apartment being torn down in the future. I called the Capitol Towers Leasing Offices before 10:30 am that day, the staff member told me that she has not heard anything regarding matter. I called again before 5pm and another staff member told me to come into the Leasing Office to pick up a flyer/notice regarding the Capitol Towers New Residential Community Renovations. I contacted FPI Corporate Offices in the Sacramento and left a message. This morning, I went to the Leasing Offices before 9am and a staff member provided me with the flyer/notice regarding the new residential housing renovations that will take place in the future, but she said she do not know anything else. I contacted the Leasing Offices 3 times, FPI Corporate Offices 1 time and I am not being given a direct answer about the future renovations or tenants being evicted because of this.

Here are some of my concerns and questions regarding the new residential housing renovations due to the new Downtown Sacramento Arena being built. Will Capitol Towers remain but the Capitol Villas around the Towers [REDACTED] be razed (i.e. torn down) to make way for new residential housing, hotels, shops, restaurants etc. related to the new Downtown Sacramento Arena? Is this true? Are you going to give the tenants at least 1 year advance notice to relocate or move-out of the current villa units? Will the tenants have a chance to move into the Towers? Will they be given first preference to rent or own the new residential apartments that are being built in the future? I just wanted to let you know that I do not want to be "kept in the dark" or wait until the last minute to move from my apartment that I have occupied for 5 years. I like where I stay and I am all for redevelopment, but let the tenants know what is happening. I still see signs for apartment vacancies or lease. Some people are moving in and others are moving out. I am a very concern tenant that wants an answer. I am just voicing my opinion and do not want to receive any harassment or repercussions because of this email. See attachments.

Thanks. Ms. Healon Knight

[REDACTED]

Sacramento Commons – A New Residential Community



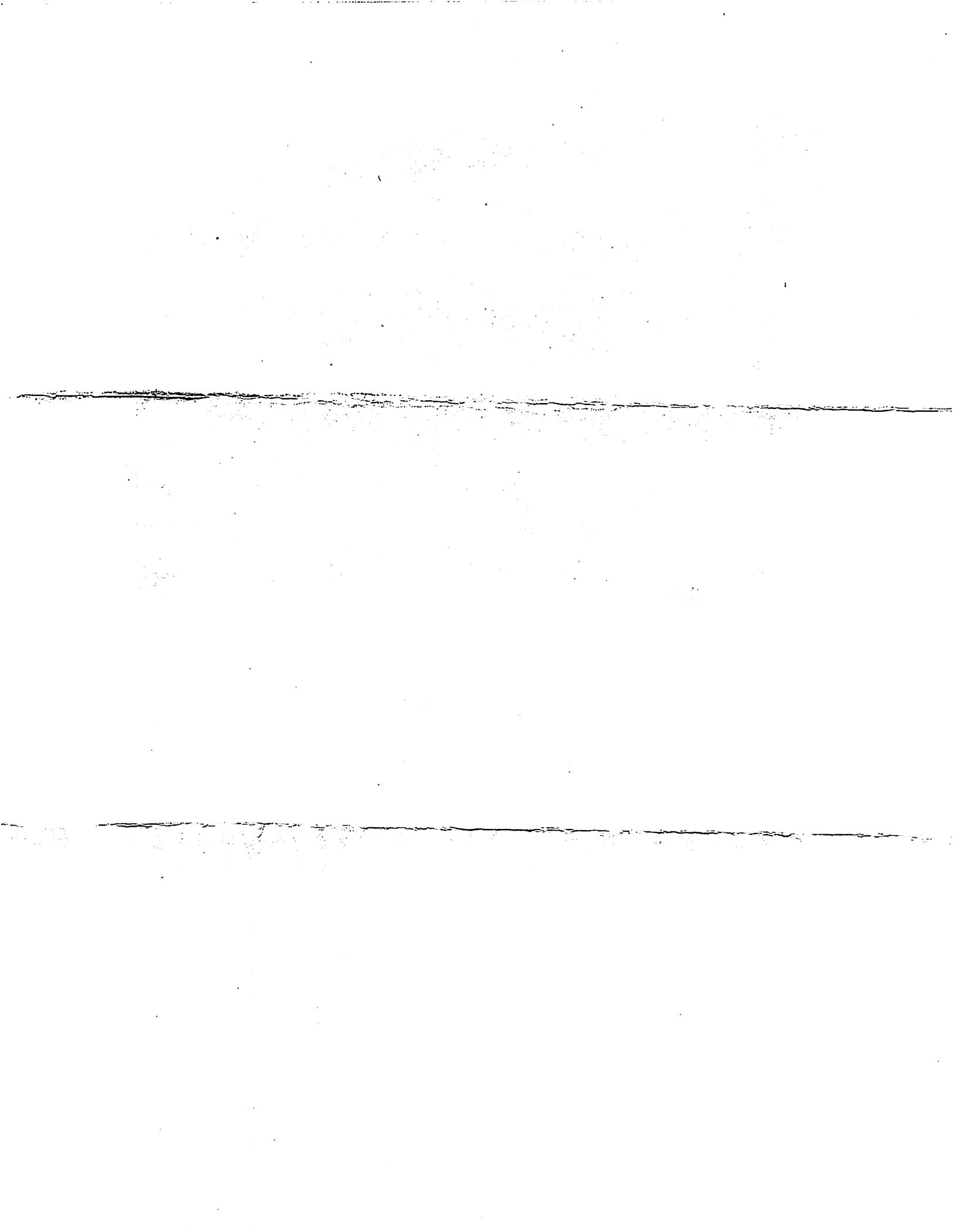
Sacramento Commons will be a mixed-use community in the heart of the city. Sacramento Commons will include modern amenities and sustainable development features on the roughly 10-acre Capitol Towers site. This new community will provide for upscale urban living with high-rise and mid-rise apartments and condominiums, live-work spaces, and neighborhood-serving retail and services for community residents and guests. Community amenities, including a broader vision for pedestrian and bicycle usage in a promenade setting, are planned features of Sacramento Commons, both east-west and north-south, within the four block area bounded by 5th and 7th Streets and N and P Streets.

Sacramento Commons will replace 206 garden apartments with up to 1,522 new homes, on-site parking for residents, new neighborhood-serving retail and services; up to 49 live-work spaces, and the potential for a 320-room hotel. The 15-story Capitol Towers building will remain an integral part of Sacramento Commons and may undergo certain renovations as the project progresses. Construction of Sacramento Commons would be phased over a number of years, with timing dependent upon market conditions.

Sacramento Commons is being designed to offer:

- ▶ A unique urban lifestyle close to jobs, attractions, and urban amenities;
- ▶ Several different housing choices within the same community;
- ▶ The ability to have a highly social environment and sustainable living;
- ▶ A new park-like community setting, with an expansive commons area and pedestrian-friendly walkways;
- ▶ Conserve and enhance the popular urban tree canopy; and
- ▶ Green, energy and water efficient buildings and landscaping.

Over the next few months, updates on Sacramento Commons will be provided by Capitol Towers.



City of
SACRAMENTO

COMMUNITY DEVELOPMENT
DEPARTMENT

300 Richards Blvd. 3rd Floor
Sacramento, CA 95811

DEAR NEIGHBOR
618 N St
Sacramento, CA 95814

Public Notice / Scott Johnson /P14-012 EN

**NOTICE OF PREPARATION OF A
SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT FOR
THE SACRAMENTO COMMONS PROJECT (P14-012)**

COMMENT PERIOD: APRIL 10, 2014 to MAY 12, 2014

The City of Sacramento ("City") is the Lead Agency for preparation of environmental review pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) for the Sacramento Commons project, P14-012 (project). The environmental review to be prepared by the City will evaluate potential significant environmental effects of the project required by CEQA. At this time the City does not anticipate the project will either directly or indirectly lead to significant impacts that cannot be mitigated to a less-than-significant level.

The project is a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP) as defined in Public Resources Code section 21155. As a TPP, the project may be reviewed through a Sustainable Communities Environmental Assessment (SCEA) pursuant to California Public Resources Code sections 21155.2 and 21155.4. Pursuant to California Public Resources Code section 21155.2(b), an initial study is prepared to identify significant or potentially significant impacts of the TPP.

The City as the Lead Agency is issuing a Notice of Preparation (NOP) to inform all responsible agencies of the decision to prepare an initial study in support of an anticipated SCEA. The purpose of the NOP is to provide information describing the project and its potential environmental effects and to seek input from responsible agencies as defined by CEQA (California Public Resources Code section 21069) and the public. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project. The NOP is available at the City's Community Development Department webpage at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. The project site is generally bounded by 5th, 7th, N, and P Streets and consists of Assessor's Parcel Numbers (APN): 006-0300-002, 006-0300-003, and 006-0300-004.

The project includes high-rise and mid-rise apartments and condominiums, with opportunities for live-work and neighborhood-serving retail and support services for community residents and guests. Modern community amenities, pedestrian promenades, rooftop open space areas, and a potential hotel (described below) are other planned features of the community.

As part of the site's development, the project would replace 206 existing garden apartment units with approximately 1,400–1,500 new dwelling units (including the existing 203-unit Capitol Tower high-rise) of various types and densities (a net increase of approximately 1,200–1,300 dwelling units), new parking structures with up to 1,778 spaces serve uses on-site, approximately 65,000–69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space.

The existing 15-story Capitol Tower building, containing 203 dwelling units, would remain an integral part of the Sacramento Commons community. Improvements to Capitol Tower could include interior modifications to reconfigure apartments, senior living facilities, or condominiums. The building's

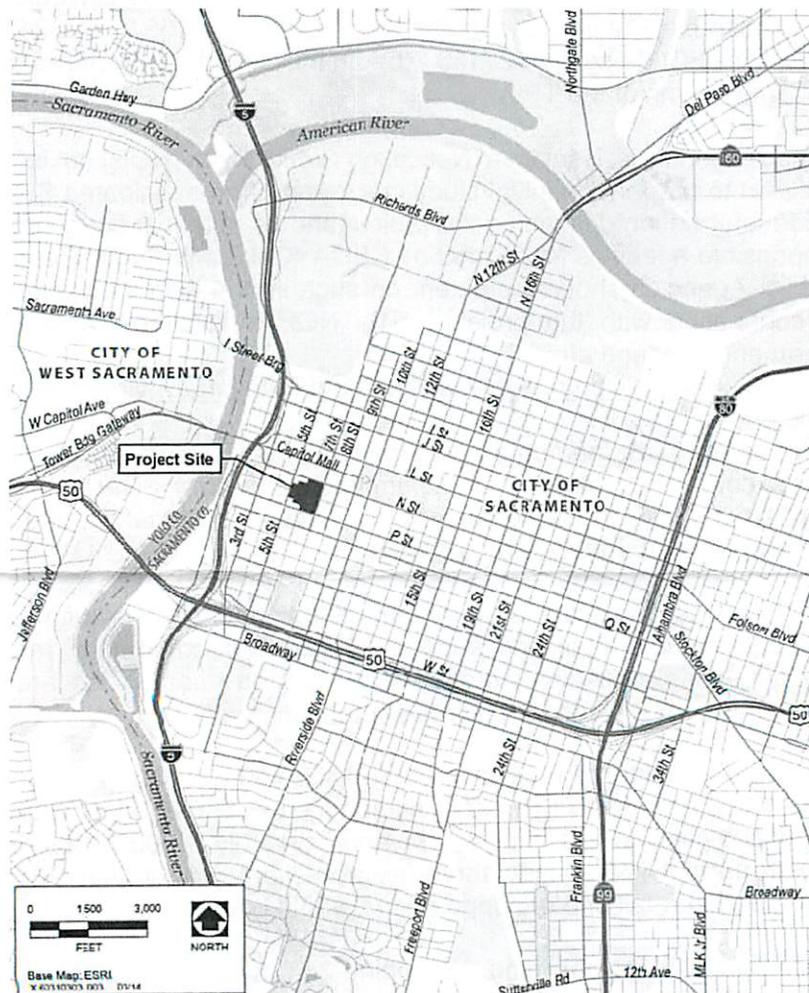
exterior would likely undergo a makeover to ensure overall architectural compatibility with Sacramento Commons.

Two potential development options are proposed for the project parcel near the corner of N and 7th streets. Option 1 is planned as a 22-story mixed-use high-rise hotel and residential condominium development that would include a lobby area, restaurant, hotel meeting spaces, and other supporting uses on floors 1 and 2; hotel rooms on floors 3 through 11; and condominium units on floors 12–22. Option 2 proposes an all condominium alternative, with ground floor support uses.

Development of the proposed project is anticipated to begin in October 2015 and occur in phases to enable the project to respond to market demand and ensure infrastructure is adequate to support the project. Construction of off-site and on-site infrastructure such as water, sewer, and storm drainage facilities would be necessary in the early phases of development. However, the actual sequence of phasing may vary for the project.

SUBMITTING COMMENTS

Comments and suggestions as to the appropriate scope of analysis are invited from all interested parties. Written comments or questions concerning the proposed project should be directed to the environmental project manager at the following address on May 12, 2014 (Public counter hours are 9AM-4PM): Scott Johnson, Associate Planner; City of Sacramento Community Development Department; 300 Richards Blvd., Third Floor, Sacramento, CA 95811; Tele: (916) 808-5842; E-mail: srjohnson@cityofsacramento.org



Received by E-mail on 07/24 at 3:45 pm
From: Jim Pachi
To: Planning Commissioners, David Kwong, and Scot Mende
Subject: Sac Commons clarification

A quick clarification as to a couple matters:

1. Staff Report, p. 15 correctly shows that the average tower floorplates of the proposed high-rise buildings are much larger than allowed by City Design guidelines, and compares the numbers, but that the developer argues that the City should allow that variance because the oversize floorplates would be comparable to existing Bridgeway, Capitol, and Pioneer Towers.

FACT: the three existing towers are widely separated and were part of a four-block City Redevelopment plan that filled in the remainder of the 4 blocks with low-rise apartments, trees, and green space. The Redevelopment Plan did not contemplate the addition of three more towers at any time.

2. My previous communications stated that KW has never built any project from the ground up, which is correct. For clarification, Kennedy Wilson Construction Management performs works of improvement on existing office and multi-family residential buildings, but does not build new projects from the ground up.

Scot, could you please include this in your stack of hard copy to distribute to Commissioners. Very sorry for late communication.

Jim Pachi

Judith Lamare
500 N Street, Apt. 1403
Sacramento, CA 95814

July 21, 2014

Chair and Members of the Sacramento Planning and Design Commission
915 I Street, Sacramento, Ca. 95814
c: staff, Mayor, Council

Re: Review of Sacramento Commons, Arborist Report, Tree Removal Issues

Dear Chair and Members of the Sacramento Planning and Design Commission:

Background. The Sacramento Commons project is part of the four block “super block”, assembled and originally planned for development by the City’s Redevelopment Agency. The condominium building in which I am an owner (Bridgeway Towers at 500 N Street) is part of that design. The complex mixes high rise and low rise, rental and ownership units, with large trees and open lawns, and many pleasing views, including views of the Capitol Tower pool area. This has produced a densely populated area that also is very livable and sociable, and maintains its value very well, in large part because of the presence of an urban forest with large canopy trees. This forest and associated low-rise apartments will be removed by the proposed project and replaced with three massive high rise buildings, three midrise buildings and two large six story parking garages.

My Credentials. Resident of Sacramento since 1977 and downtown since 1989, I have been a member of the Sacramento Tree Foundation Board and a leader in a number of local environmental organizations including Friends of the Swainson’s Hawk, ECOS, Sierra Club, Green Incubator, Breathe California, Modern Transit Society, and Habitat 2020. I managed the Cleaner Air Partnership from 1986-2005. I have a Ph.D. in Political Science from UCLA where I also studied transportation and urban planning.

Existing Trees Were Essential to the Design of Capitol Towers and Garden Apartments. Will tree protection now be abandoned by the City?

The record assembled by Sacramento Modern on the history of Capitol Towers and Villas contains a wealth of communication among the owners, architects, planners, the City and the construction team about **the crucial value and the protection treatment of the onsite and on street trees.** Exemplary of this discussion is a letter from Donn Emmons of Wurster, Bernardi and Emmons Architects, on October 27, 1959. In this letter to Robert Bradford of the Sacramento Redevelopment Agency, Emmons notes that the project was designed to make best use of city street trees, and that their removal “would seriously affect the appearance and possibly the success of the project.” He notes also that “In the Capitol Towers Project, buildings, parking areas and malls have been arranged to save and make use of the existing trees. . . . We see no great problems in saving them.” [emphasis added] In closing, Emmons says “We feel that they are an

important part of Sacramento's heritage and deserve to be kept." See the first photo at the end of this letter which dates from 1964.

The record shows that existing trees on site were so important to the Capitol Towers and Garden Apartments design that no tree could be removed from the site without the direct authorization of the lead landscape architect, Lawrence Halperin. The General Conditions of the Specifications for the Capitol Towers project also included a penalty to the contractor of \$1,000 per tree lost through "damage caused by carelessness or lack of sufficient protective measures." (letter dated April 17, 1959, Donald Ray Carter to Wurster, Bernardi & Emmons)

This impressive effort to protect trees and design buildings around a mature tree landscape has resulted in a lush urban forest with associated wildlife. The foresight of the renowned landscape architect has created a signature public space in the Central Business District of Sacramento while providing habitat for birds. This forested residential community provides a linkage for both people and birds, between the riparian riverfront (Sacramento and American River parkways) and Crocker Museum Park to the west, to Capitol Park to the east, to Cesar Chavez Park to the north, and to Southside Park to the south. Both resident and migrant birds use the area, including black phoebe, robin, mourning dove, Anna's Hummingbird, house finch, Nuttall's woodpecker, goldfinch, cedar waxwings, red-tailed hawk, Swainson's Hawk, scrub jay, flicker, yellow-rumped warbler, bushtits and others.

A key issue in the City's consideration of this project, and particularly the review and comment by the Planning Commission, should be whether building and site design will be shaped to preserve and protect the existing tree resource as was done when the City Redevelopment Agency undertook its redevelopment over 50 years ago? Conversely, will the City allow destruction of well over 200 trees?

Deficiencies in the Arborist's Report. Kennedy-Wilson engaged Dudek to prepare an arborist report on the project site. Flaws in the Arborist's Report and related documents make it difficult for City decision makers to fully appreciate and understand the tree resource and its history and the impact of the proposed project on this resource. Specifically,

The Dudek arborist report:

1. provides no inventory of trees on site. (Though the proposed Tentative Subdivision Map, submitted by Kennedy-Wilson, is required to show this information, it does not).
2. presents no analysis or graphic documentation to explain its conclusions about what trees will be preserved when construction is complete or to enable the public to determine how the proposed project footprint will affect the existing tree resource. The project concept plan indicates building coverage of areas where the arborist claims trees can be preserved.

3. fails to disclose the leaf surface to be removed, the number of trees to be removed, and the number of trunk inches to be removed by the project. Completely ignores the loss of tree canopy and its consequences.

4. fails to disclose that at least 19 trees are located in the public pedestrian easement, specifically designed by the original landscape plan as key elements of the open space in Capitol Towers and Garden Apartments superblock (which includes Pioneer and Bridgeway Towers as part of the design). Documents in the record indicate that the owner of Capitol Towers and Villas is required to maintain the pedestrian easement as designed. See photos at the end of this letter.

5. does not consider that the groupings of trees approved for the Capitol Tower and Garden Apartment projects by City Redevelopment Agency could be determined to be heritage trees as defined by City ordinance. This is particularly the case with the two groupings in the pedestrian right of way and one next to the sunken garden portion of the pedestrian right of way. [“Any tree, grove of trees or woodland trees designated by resolution of the city council to be of special historical or environmental value or of significant community benefit.” (Ord. 2008-018 § 3; prior code § 45.04.211)] **Arguably the approval by the City of the redevelopment project and its landscape design over 50 years ago establishes a special historical and environmental value for these tree groupings.**

6. is woefully inadequate in recommended mitigation for loss of heritage trees (1 24 inch boxed tree to mitigate for each lost heritage tree). A 1996 draft EIR for a similar project required four 24 inch boxed trees be planted on site for each heritage tree removed. A 24 inch boxed tree has a trunk of maybe 1 inch in diameter, up to 8 feet tall. Mortality is high. Growth is not guaranteed and often is very slow because of lack of sun.

7. ignores the trees along the southern boundary of the Bridgeway Tower property whose roots and branches may be damaged by demolition, grading, and/or construction activities. These trees and potential impacts to them are completely ignored by the arborist’s report. No mitigation is included to protect them or to offset loss. See photos at the end of this letter.

8. the Tentative Subdivision Map fails to comply with City Ordinance 16.21.060 which requires that Tentative Maps show all existing trees and easements.

Inventory

There are well over 200 trees on and around the proposed Sacramento Commons project. Most of these are not heritage or street trees, but are large and mature and provide an impressive tree canopy. I recently counted 279 in the project area and along the street bordering the project.

In a 1996 EIR inventory, 204 were identified, including 21 heritage trees and 29 street trees; this inventory seems to have ignored the group in front of the sculpture wall as well as the trees along Seventh Street in front of Capitol Towers and its parking garage.

(1996 EIR Capitol Towers Development Concept, Chapter 7.4, Plant Life based on 1993 city arborist inventory.) A 2008 Tentative Subdivision Map prepared for Bond Company shows 191 trees on site (22 on the pedestrian easement) and 41 street trees on the periphery for a total of 232. (Copy appended.)

Dudek notes only that there are 57 “protected trees” (18 heritage trees and 39 curbside city street trees, of which 6 also are heritage trees). It performs no inventory (no tree tags) or analysis on the remainder and makes no estimate of the impact of removing most of the trees from the site. Nor does the report identify any trees intended to be preserved other than three heritage trees on site and 35 street trees. We measured several trees not identified by Dudek as heritage that were at or near the heritage size requirement. Dudek did not do any canopy or crown investigations.

The statement that seven of the fifteen heritage trees that might be removed could be saved is seriously deceptive. Review of the conceptual maps of the proposed project, and visual inspection, shows that the seven that "may require removal" are within the footprint of proposed structures, or so close to the edge of proposed structures that they would need to be removed due to the extensive removal of root and crown structure needed to make way for the proposed structures.

Also of particular concern is protection of all trees **in and designed in relationship to the pedestrian easement** which is appurtenant to all the properties in the superblock, not just the applicant’s portion. This issue is ignored by Dudek.

Removal of trees protected by city ordinance is an environmentally significant impact and it is of concern that the project likely will likely remove 15 heritage trees (trunk circumference of 100” or more) from the site (saving only 3) and 5 city street trees along the periphery. However, **in the historical context of this project, the removal of over 200 other trees, most of them mature and with large canopies, is highly significant as a loss of historic resource and should be avoided and all loss fully mitigated.** Your staff report refers only to “some trees” that will be removed.

More specifically, the tree groupings that are part of the design of the pedestrian easement should be retained and protected from construction impacts to retain the historic design of the pedestrian easement. This includes:

1. the heritage trees in and next to the pedestrian easement – numbers 58, 59, 66, 67, 68, 104, 106, 73, 76, 77, 78;
2. the line of 8 trees between Capitol Towers and its pool;
3. the 12 plaza trees at the intersection of what was 6th and O; and
4. the four trees of the same species and age surrounding the sunken garden

Project Application Violates City Policies and Guidelines related to open space, sunlight, light, urban forest and related issues.

Below are listed various city policies and guidelines which are violated by the project under review.

- Neither the staff report nor the draft PUD address the amount of open space that will be retained on site, nor do they compare this amount to the Central City Design Guideline for Open Space.

- As mentioned above, Tentative Subdivision Map does not conform to City Code 16.21.060

- As mentioned above, the Dudek arborist report (May 30, 2014) does not recognize special status tree groves as required by Ord. 2008-018 § 3; prior code § 45.04.211.

- City Central City Urban Design Guidelines state on Page 2.2-18

“New development should be responsive to historic resources. New development should take special care to ensure that the scale, form and materials used relate positively to adjacent historic buildings.” The plaza and pedestrian easement, the existing towers, and the tree resource are all part of the history of this superblock, assembled by the City and designed by renowned architects. The proposed PUD and TSM ignore and devalue these resources. Examples: building to 40 feet of existing tower walls; removing the Capitol Tower pool; not protecting and preserving all heritage trees; not protecting and preserving the tree groupings pertinent to the pedestrian easement; building over the pedestrian easement.

- Central City Urban Design Guidelines Page 2.2-14 Urban Forest Urban Design Recommendations

1. A primary objective of the City shall be to preserve and enhance Sacramento’s urban forest.
2. Ensuring the health of the urban forest requires implementation of guidelines for selection of species, protection of root zones and tree canopies, and replacement and revitalization.
3. The urban forest needs to be considered strategically as a design element that significantly contributes to the form, character and identity of the Central City, as well as to the social and economic well-being of the Central City.
4. The role of the urban forest in addressing the City’s sustainability goals and as part of the City’s “green” infrastructure needs to be fully explored and implemented for its potential benefits to energy reduction and air and water quality enhancement.
5. Street tree planting programs should be implemented to maximize shade coverage of streets throughout the Central City.

The project application ignores the strategic importance of the current urban forest on site, that it would remove more than 200 healthy, large trees with no mitigation, the project would not conserve all heritage trees on site, and the applicant fails to assess the value of the tree resource to be lost.

- Urban Forest Management Plan for City of Sacramento (1994) is ignored by the project applicant and his arborist, Dudek. It says in part:

on page 82-83

Air Space

No building facade is permitted within a 10 foot radius, measured from the outside edge of a tree

trunk for the first two stories of a building. Setbacks for buildings over two stories in height shall be a minimum 18 foot radius as measured from the outside edge of the tree trunk. Alternative planting locations, such as islands in the parking lane, may be considered adequate to meet air space setback requirements (Figure 33. Tree Protection and Setbacks: Air Space).

Page 83

Solar Radiation

Setbacks are required between buildings and for courtyards within a building which allow a minimum of four hours of direct solar radiation to every tree on any day of the year. This setback requirement must be coordinated with those for soil area and air space and may require setbacks greater than those minimums to achieve the solar radiation requirement (Figure 34. Tree Protection and Setbacks: Solar Radiation).

This guideline is ignored in terms of its relationship to the trees along the southern boundary of the Bridgeway Tower property.

- 1996 Capitol Towers EIR

A prior EIR for a project on this site found that impacts on the tree resource were significant and not all impacts could be mitigated. I hope that the Planning and Design Commission will support a full EIR to determine what these impacts will be and whether and how they can be mitigated. Use of an SCEA for this project is inappropriate because of the unmitigated significant impacts of the project.

The Central City plan has policies that are also contradicted by this application. For example:

CC.HCR 1.1 Preservation. The City shall support programs for the preservation of historically and architecturally significant structures which are important to the unique character of the Central City. (MPSP)

CC.ERC 1.1 Parks. The City shall develop three new neighborhood parks to provide park space within convenient access; . . . These parks should be small (approximately 1 acre), have neighborhood-oriented

activities, and their development should not involve removal of existing sound housing stock. (MPSP/SO)

This application would remove several acres of parklike forested space while doubling the on-site population. No provision is made in the draft PUD to offset this loss with nearby park space of a similar character.

I urge you to ask these questions of the applicant and that you recommend the protection and retention of this tree resource in the design and implementation of the Sacramento Commons project.

Sincerely,

Judith Lamare Judith Lamare, Ph.D.

c. 1964 photograph of Capitol Towers and Garden Apartments looking south from N Street. Pioneer Tower (on P) was built in 1974 and Bridgeway Tower on N was built in 1980. Note mature trees on site that were protected during construction.



Canopy views from Bridgeway Towers looking south at Pioneer Towers and (bottom picture) Capitol Towers.



Line of trees planted along pedestrian easement (O Street) as part of original landscape plan. Tree grouping at 6th and O “plaza” area designed by Lawrence Halperin. Arborist report does not mention preservation of these trees.



Northern end pedestrian easement (6th Street), “sunken garden” surrounded by grove of trees planted as part of the original landscape plan. Kennedy-Wilson concept plan shows

this location as part of 7-8 story midrise apartment structure. This area is permanently preserved through easement.



Scott Johnson

From: Julie Mumma <j.mumma@yahoo.com>
Sent: Sunday, May 11, 2014 8:00 PM
To: Scott Johnson
Subject: Sac Commons Project EA Report
Attachments: KANDEL EA REPORT.docx

Dear Planner Johnson,

I join in the comments and concerns raised by Adrienne Kandel. Rather than reiterate those points, I adopt the issues she raised (it is re-attached for your review) and urge your consideration.

The KW proposed 40 set back from Bridgeway Tower will make unusable our homeowner community pool. The proposed massive structure and minimal set back will block the sun from the pool. That amenity is a luxury downtown. All of the surrounding properties with pools are rentals. Bridgeway Tower is unique in a downtown mid-rise with a pool that is owner occupied. Our private investments, which currently include poolside sun and south facing views, should not be diminished by this development. Any reduction in density to accommodate the concerns of Bridgeway Tower owners could be mitigated by increasing the density on the KW proposed mid-rise between Capitol Tower and 7th Street or elsewhere on the site.

In addition, I am deeply concerned about the inevitable loss of the 8+ story tree rooted in the middle of the southern property of Bridgeway Tower. That tree drops leaves in the winter to provide passive heating to south facing units at Bridgeway Tower and provides shade during the summer months. If you approve the minimum 40 foot set back from Bridgeway Tower (not the property line but from the structure), it will not only have the ramifications addressed by Adrienne Kandel but it would necessitate destroying the tree on the Bridgeway property. That tree top would need to be butchered on the one side which would kill the tree if it even survived the massive footings required for the mid-rise.

Please physically inspect the property. Imagine the proposed KW mid-rise because it will be as high as the massive tree centered on the south of Bridgeway Tower. And the proposed massive structure will be that close to our south facing units. A wall of renters looking straight into Bridgeway Tower units. And that wall of renters runs the entire length of Bridgeway Towers. I suspect that KW intentionally included pretty pictures of mid-rises half the height of the proposed high-rises to misled the visual impact those structures will have on Bridgeway Tower. This KW proposal is simply not fair. I have attended every KW community, raised these concerns, and made written proposals relative to these set-back and height issues. All of which have been ignored. That set back has not moved. The density and height of that mid-rise has not changed.

You will certainly have discretion. I implore you to use the rules to leverage a little fairness for the concerns raised by the owners of Bridgeway Towers as relates to the sun on our pool and the south facing views.

Thank you for your consideration.

Julie Mumma

Scott Johnson

From: Jim Pachl <jpachl@sbcglobal.net>
Sent: Friday, April 25, 2014 10:54 AM
To: Scott Johnson
Subject: Fwd: Sac Commons: Fire Dept

Begin forwarded message:

From: Jim Pachl <jpachl@sbcglobal.net>
Date: April 25, 2014 10:19:15 AM PDT
To: Scot Mende <SMENDE@cityofsacramento.org>
Subject: Sac Commons: Fire Dept

Scot,

The routing form of the project Application states that it was submitted to Fire Department for review and input. Presumably the Fire Dept would impose requirements for compliance with the Fire Code, including fire truck access into the project.

Whom would Bridgeway Towers Owners Association contact at Fire Dept to discuss a glaring fire safety issue in the project design??

The project proposes a 7-story midrise, which would be a 6-story wood structure atop a 1-story concrete podium (parking garage) located 40 feet from the south wall of Bridgeway Tower (per verbal statements of David Eadie). This would be 10-20 feet from the Bridgeway property line and fence next to the Bridgeway residential tower. The project map also shows the KW midrise as being flush against the 2-story Bridgeway parking lot. There is no provision for fire truck access into the block-long space between Bridgeway and the KW mid-rise.

KW's mid-rise wood structure could potentially catch fire, which could fry the condo Units on south side of the Bridgeway. Without fire truck access between Bridgeway and the mid-rise, the fire department could not effectively control such a fire in that area nor could it deploy rescue ladders (on fire truck) to evacuate persons trapped in the wood mid-rise. So the mid-rise should be set back sufficiently to allow access for fire trucks along the entire space between Bridgeway's fence and the KW mid-rise.

A similar situation exists where the other mid-rise abuts Pioneer Tower.

Jim

Scott Johnson

From: Jim Pachl <jpachl@sbcglobal.net>
Sent: Thursday, May 08, 2014 2:08 PM
To: Scott Johnson
Subject: Sacto Commons NOP wastewater infrastructure

Scot,t

Please consider my email of 5/5/14, below, as a response to the NOP for the Sacto Commons project.

Jim

Begin forwarded message:

From: Scot Mende <SMende@cityofsacramento.org>
Date: May 6, 2014 1:56:02 PM PDT
To: Jim Pachl <jpachl@sbcglobal.net>
Cc: Inthira Mendoza <imendoza@cityofsacramento.org>
Subject: RE: Sacto Commons: wastewater infrastructure

Thanks, Jim. I will pass this along to Inthira Mendoza from Dept. of Utilities.

Scot

-----Original Message-----

From: Jim Pachl [<mailto:jpachl@sbcglobal.net>]
Sent: Tuesday, May 06, 2014 1:47 PM
To: Scot Mende
Subject: Sacto Commons: wastewater infrastructure

Scot,

Last week I noticed City Utilities Dept personnel inspecting the sewer and/or stormwater infrastructure of the "superblock", apparently for the purpose of City's review of the Sacto Commons application.

Today the owner of a business located in Capitol Towers ground floor told me that sewer water (I think he meant storm sewer) backs up during rainstorms and pool on the ground, which I have also seen. He also states that storm back-up water also rises through the floor of the ground floor businesses, which I had not heard before.

You may want to pass this info to City utilities for use in its evaluation of drainage and sewer needs in the event that the project proceeds forward. I did not try to verify.

It was also reported that an engineering firm working for KW was measuring the entire area today in preparation for leveling the site in the event of project approval.

Jim

Scott Johnson

From: Jim Pachl <jpachl@sbcglobal.net>
Sent: Monday, May 12, 2014 4:18 PM
To: Scott Johnson
Cc: Scot Mende
Subject: Sacto Commons NOP: trees

Hello,

Most of our personal comments on the NOP for the SCEA for the project were included in the previously submitted letter of Neighbors of Capitol Towers and Villas.

However we discovered today an additional concern regarding the Dudek arborist/s report. Specifically, we walked only the 6th St walkway from N St to the O St walkway, and the O Street walkway between 5th and the 6th St walkways. We had Dudek's arborist report, 4/10/14. and a tape measure.

We noticed that the numbered metal tags designating heritage trees had been removed from several trees that were shown in the arborist report as being heritage trees and were clearly heritage tree size. This is particularly disturbing because we walked only a small part of the area of the project site. Removal of the tags designating heritage trees could lead to "accidental" removal of heritage trees by persons claiming to not know that they were heritage trees. The arborist should examine all designated heritage trees throughout the project site and replace any metal tags that have been removed.

We also measured the trunk circumferences of the larger trees along the O Street walkway between 5th St and the 6th St walkway, measuring at approx 4 1/2 feet above the base of each tree. One measured a circumference of at least 100 inches. It was not tagged nor shown on Dudek's arborist report as a heritage tree.

> In light of the small "sample area we walked, the arborist should
> re-survey the entire site for trees qualifying as heritage and replace
> metal tags that have been removed.

We also noticed that there were trees with older square metal tags with numbers that had been deliberately obliterated by multiple scratches. The EIR should explain why this was done.

Page 12 of the proposed Sac Commons PUD says that the project includes protection and incorporation of the majority of existing heritage and street trees in place.

That statement is seriously misleading. In fact the Dudek arborist report , (p. 9) says that of 17 on-site heritage trees, 6 will require removal for construction purposes, 7 may require removal, depending on the final building locations, and only FOUR heritage trees will be retained on site.

Review of the maps of the proposed project, and visual inspection, shows that the 7 that "may require removal" are within the footprint of proposed structures, or so close to the edge of proposed structures that they would need to be removed due to the extensive removal of root and crown structure that would be needed to make way for the proposed structures. The EIR should disclose the reality that only FOUR existing heritage trees, out of 17, would remain.

Thank you for the opportunity to comment on the NOP.

Jim Pahl, Jude Lamare 500 N St #1403, Sacramento, CA 444-0910

Neighbors of Capitol Towers and Villas

c/o 500 N Street, APT 1403

Sacramento, CA 95814

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

May 1, 2014

Cc: Scot Mende, Principal Planner
Councilmember Steve Hansen

DEADLINE FOR SUBMITTAL 5/12/14

Re: THE SACRAMENTO COMMONS PROJECT (P14-012) Comment in response to the Notice of Preparation of SCEA

Dear Mr. Johnson:

These comments are submitted on behalf of a group of neighbors and other interested parties who are concerned about the proposal by Kennedy Wilson, Inc., to remove 206 two-story Capitol Villas garden apartments, and most of the trees and park-like public green space on that property, receive City entitlements to build two 22-24 story high-rise residential structures, one 22-24 story hotel/condo or alternatively all condos, two massive-footprint 7-story mid-rise residential structures, one 5-story mixed use building, and two large multi-story parking structures. Public open space would be reduced to two mostly-concrete corridors, and a small plaza at 7th and P Streets which appears to include driveways. Kennedy Wilson (KW) is also seeking a tentative map to divide the project area into six different parcels, which would enable KW to sell off individual parcels with the new entitlements.

The Notice of Preparation (“NOP”) of Sustainable Communities Environmental Assessment (“SCEA”) states that the City does not anticipate that the project will lead to significant impacts that cannot be mitigated to a less than significant level. Such a sweeping assertion at this preliminary stage regarding such a massive project within a densely populated downtown residential area belies the purpose of CEQA which is that conclusions be based on substantial evidence after opportunity for public comment.

An understanding of the history and setting of the project area, existing uses, and its relation to neighboring properties is necessary to evaluating the project’s impacts:

The NOP states: “The project is a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located within close proximity to a variety of transit resources. . . .” This portrayal completely ignores the importance of the project area as the centerpiece of a much larger interrelated existing and residential redevelopment project of historic significance.

This is not an infill site. It is a critical component of a highly successful existing four block car-free neighborhood, created by City Redevelopment beginning in the 1960's, bounded by 5th, 7th, N, and O Streets. The "superblock" includes Pioneer Tower (11 stories, 198 units of affordable senior housing), Bridgeway Tower (15 stories, 143 condominium units), and Capitol Tower (15-stories, 203 unit apartments), as well as the 206 2-story Capitol Villas garden apartments and the public open space, lawn, gardens, and trees which the project would remove.

This 4-block superblock (748 units total), and neighboring Governors Square apartments (4 blocks, 305 units, 2-4 story apartments) have been an important part of the fabric of downtown for over 50 years, with a surprising number of long-time renter residents, as well as Bridgeway condo owners. In addition to residents, the park-like grounds are frequented by employees of nearby offices on work breaks and lunches, and other members of the public who enjoy the park-like ambience of the area which the project would eliminate.

By contrast, virtually all of the proposed infill sites in or near downtown are former industrial properties, vacant lots, or seriously blighted properties in obvious need of replacement or very substantial rehabilitation. Development proposals for most of these sites have generated little or no opposition and correctly fit into the category of infill parcels.

This four-block neighborhood was created by the City through the redevelopment agency as a model urban residential area beginning with the Capitol Mall redevelopment project plan in the mid 1950s. It was designed by famed architects William Wurster and Lawrence Halprin as livable urban high-density housing with 3 residential towers, 206 2-story garden apartments, exclusion of cars, and substantial lawns, gardens, and tree canopy, open to the public, with careful attention to viewsapes. The design won awards and the City invested considerable energy and resources to ensure the original design was implemented.

When the original developer was unable to complete the entire redevelopment project, the City ensured that Pioneer Tower (11-story affordable senior apartments) and Bridgeway Towers (15-story condominiums) were built by others consistent with the original design. The garden apartments to be demolished were constructed over 50 years ago, have been maintained in good condition, were substantially renovated by a prior owner in 2004-06, and are occupied by renters who would be displaced by the proposed Project. The historic award-winning highly successful landscape design will be obliterated. The swimming pool area will be removed. It currently serves Capitol Towers and Villas residents and is a social and visual amenity for the neighborhood. The existing large public open space area will be replaced by parking garages and massive buildings where open space is largely confined to private spaces behind locked gates. "Sacramento Commons" would be the opposite of the highly acclaimed original design of Capitol Towers and Garden Apartments that has proved so successful for decades.

To label Sacramento Commons as "transit oriented" is a misnomer. Visual observation shows that the great majority of persons using the nearby 7th Street light rail and bus stops are commuting from their homes to employment downtown, and exiting downtown in the evening. Likewise, most evening transit patrons ride to downtown from elsewhere and then return to their homes elsewhere. Only a small number of "superblock" residents travel via light rail or bus from

the 7th Street transit stops. People choose to live in the superblock so that they may walk or bicycle to employment, restaurants, or entertainment downtown. This is a pedestrian oriented residential area.

We wish to point out that KW stated, at the February 18 public informational meeting, that the 7-story mid-rise apartments would be set back only 40 feet from the apartment and condo units comprising the south wall of Bridgeway and the north wall of Pioneer House. Bridgeway residents asked that the setback be greater, but KW's Vice President Dave Eadie refused that request. There is concern that the 40-foot setback would deprive those Pioneer and Bridgeway units of sunlight and views, and devalue those units.

The Applicant, Kennedy Wilson Inc., is a large real estate investment firm based in Beverly Hills which buys and sells, and sometimes remodels or upgrades its properties. As far as we can determine, KW has never built anything from the ground up and has no developer partners for this venture, which is highly unusual for a project of this magnitude and complexity. We are told by some in the industry that the cost of constructing high-rise residential structures is so high due to today's costs and safety requirements that it would not be economically feasible (profitable) in Sacramento's real estate market. There is speculation that prices may again rise to levels of the 2005 bubble, but no factual reason at this time to believe that such prices (if they occur again) would be any more sustainable.

This raises two possibilities: (1) KW's intent is to divide the site into saleable parcels, entitle the project site to increase value, and then sell some or all of them to individual developers or investors (e.g.: speculators); or (2) KW may attempt construction despite its profound lack of experience and qualification. Either possibility raises the specters of the failed Saca project, which resulted in a gigantic hole in the ground, the Aura project which left a large parking lot, and numerous other "development" projects which resulted in vacant empty weed-fill lots or boarded-up structures that are never redeveloped. Either result would blight the area and depress the economic values of neighboring residential buildings and quality of life of residents, while removing valuable downtown housing that is in good condition and displacing residents.

Please evaluate the project in terms of the following impacts:

- evaluate the potential for a failed project and what mitigation measures can be imposed to avoid a future huge hole or weed-filled demolition site creating blight and seriously devaluing the neighborhood Bridgeway condo units and rental values in Pioneer and Bridgeway Towers, (and possibly Governor's Square) while removing needed downtown housing.
- state and evaluate the impacts of each of the following scenarios, including impacts on values of Bridgeway and Pioneer Towers, that could potentially occur if the project started and then failed or was subject to indefinite delay while its owners awaited financial feasibility and market for the project (not uncommon in downtown and elsewhere);: (a) Capitol Villas garden apartments vacated and remained vacant for prolonged or indefinite time (b) Capitol Villas apartments, landscape, and most trees removed, leaving a huge weed-grown vacant tract next to Pioneer and Bridgeway Towers; (c) impacts of large hole or holes in the ground, such as the failed Saca project, 3rd and Capitol; (d) area cleared and then converted to large parking lot

while awaiting feasibility of project (such as the Aura project, 6th and Capitol Mall).

- what measures can the City undertake to ensure that Capitol Villas units will not be vacated until KW, or its assignee, has guaranteed funding to undertake and complete the project, and that such project is economically viable? It is common for developers to vacate, or vacate and demolish, properties years before development begins, thereby blighting the neighborhood?
- evaluate potential damage to neighboring Pioneer and Bridgeway towers due construction methods and resulting ground and acoustic vibrations. Include evaluation of any planned use of pile-drivers to construct the project. Look at construction alternatives, including imposing a total ban on use of pile drivers on the site. If use of pile drivers is allowed on the site, the developer should be required to post a bond to compensate neighboring property owners, notably Bridgeway and Pioneer Towers for the cost of repairing any damage cause by pile driving.
- evaluate potential soil settlement and possible resulting damage to neighboring Pioneer and Bridgeway towers due to dewatering of excavations for project buildings. The developer should be required to post a bond to compensate neighboring property owners, notably Bridgeway and Pioneer Towers for the cost of repairing any damage cause by excavation or dewatering of excavations close to neighboring structures.
- evaluate the potential for archeological resources in the soil to be excavated, and provide for mitigation to less than significant for impacts on these artifacts and remains.
- evaluate the impact of loss of public easements. Please identify all public pedestrian access easements on the property and determine if the project proposal would require removal of existing pedestrian public access easements.
- evaluate loss of economic value of Bridgeway condominiums due to prolonged construction disturbance, loss of views and green space, and years-long construction noise and disturbance which will make Pioneer and Bridgeway Towers much less attractive to prospective renters and Bridgeway condo buyers – particularly retired senior citizens who typically remain at home during weekdays. It is very challenging to rent or sell units next to a years-long construction site. The developer should be required to provide compensation to the Bridgeway condominium owners and the owner of Pioneer House for loss of economic value of units during the construction phases of the project.
- the project documents state that construction would occur in phases, which means that residents of Pioneer Towers, Bridgeway, and Capitol Towers will be subjected to construction noise over multiple years, particularly those units facing onto construction sites. Please evaluate the effect of such noise on the residents of these buildings, in particular the effect upon the enjoyment and well-being of retired persons who typically remain at home during much of the day.
- evaluate the project in terms of the total density and zoning of the four block neighborhood rather than the 11 acre project area since two large separately owned residential towers, with about 330 residential units, exist within the four square block space and were designed with the

existing Capitol Towers and Villas as a model urban high density “superblock” pedestrian oriented neighborhood for downtown over 50 years ago.

- evaluate the fire risk and adequacy of emergency and fire department access to all existing and proposed units in the superblock, particularly the 7-story wood frame apartments. SEE letter of Bridgeway Towers Owners Association to the City Fire Marshal, April 29, 2014, regarding potential risks to Bridgeway and Pioneer Towers in the event of fire from one of the 7-story wood frame apartments to be constructed next to Bridgeway and Pioneer Towers and absence of adequate access for fire equipment between the 7-story buildings and Pioneer and Bridgeway Towers.
- evaluate loss of community values of the project area including the original redevelopment plan for the area, the current public park-like grounds, aesthetic mix of low and high rise structures, availability of street parking for visitors and services. Include impacts on the safety and civility of the neighborhood of removing the green space and tree canopy and increasing population and parked vehicles (in large concrete structures) in the four block area by 2-3 times while removing centralized security services provided by Capitol Towers and Villas.
- evaluate the effects of the proposed tentative map which would subdivide the site into six parcels for development or sale of individual parcels to separate developers or investors (i.e.: land speculators), and its impact on project coordination, timing, neighborhood management, noise, and security. Why was the project area previously limited to three parcels? Why has one owner held these three parcels for over 50 years? To date the owner has provided landscape services and security patrols within the 11 acre project site. Who will provide these services after project approval?
- evaluate the destruction of the historical character and purpose of the project area, and the loss of investment by the City in the neighborhood and its tree canopy as a model downtown residential neighborhood.
- Please disclose what will be done with the sculpture wall by Jacques Overhoff, located immediately west of the Capitol Towers swimming pool.
- evaluate the impact on tree resource and tree canopy in the city, including a full tree inventory and comparison with past tree inventories in the four block area, and particularly the 11 acre project area. What are the impacts on trees owned by Bridgeway Towers and Pioneer Towers? What tree conservation commitments were made in prior project approvals for the site? What are the specific impacts of loss of virtually all tree canopy and green space within the entire 4-block "superblock". What native trees will be removed? What heritage trees will be removed? Are any of these trees protected by the original development approval for the site? Evaluate the impact on the urban heat island effect and neighborhood comfort/ walkability due to loss of tree canopy during the summer and the impact on Greenhouse Gas inventory for the City from loss of the tree canopy and increase in population.
- evaluate on street parking reduction/ need for more on street parking, including visitor parking for existing and proposed residential units. Consider that City may require the

elimination of some or all neighborhood on-street parking as a mitigation measure for increased traffic due to the project (including the proposed hotel at 7th and N Streets), and include mitigation measures that would offset those impacts. Where will visitors and service vehicles park for Pioneer and Bridgeway Towers that now park on the street?

- evaluate the impacts of the project and increased population in the “superblock” on sewage infrastructure on and off the site. The current system was designed for many fewer residents than the additional population proposed by the Project. Evaluate impacts on storm water run-off and non point source pollution due to removal of green space and tree canopy.
- evaluate the impact on downtown wildlife of the removal of this habitat. The current urban forest on site provides habitat for a number of species of birds and adds to a wildlife corridor. We have also seen raptors soaring above the property and do not know what migratory species might be nesting here. We have seen (depending on the season) flickers, Nuttall’s woodpeckers, scrub jays, black phoebe, house finch, robins, yellow rumped warblers, cedar waxwings, Swainson’s Hawks, Red tailed hawk, Peregrine Falcon, doves, pigeons, Anna’s hummingbird and house sparrows. Swainson’s Hawks are a listed species under the California Endangered Species Act. Require an avian protection plan for the demolition and construction stages of the project. Ensure that preconstruction surveys are conducted for nesting raptors and appropriate mitigation adopted. Include consultation with California Department of Fish and Wildlife.
- evaluate degradation of quality of life, especially for seniors and the disabled in Capitol Tower, Pioneer and Bridgeway Towers who have limited mobility and safety issues when outside. When pedestrian ways are narrowed, building mass increased, population increases and narrower walkways must be shared by more residents, dogs, bicycles, maintenance and emergency vehicles, there is a loss of mobility and safety for those who have limited sight, use walkers, wheelchairs and move slower, or who are afraid of dogs on leash.
- what are the impacts of increased traffic in and out of the project site to the mobility impaired population using City sidewalks to access transit and other areas of downtown? What will be the increased impediments to pedestrian traffic from queuing vehicles entering the site’s access points? What are baseline wait times now for pedestrians at peak traffic times and how will that increase? (See letter from Tommy Leung, attached.)
- evaluate shade/loss of sunlight impacts on area residents, energy costs and greenhouse gas emissions for the project and the two high rise residential buildings sharing the same superblock.
- evaluate the impact on risk of loss of affordable housing, including the price of rental housing in the neighborhood and downtown compared with another strategy which would increase housing availability on what are now empty or rundown lots rather than high priced property that already has strong income producing use. Does the project support the City’s affordable housing goals? Does the project remove affordable housing and displace residents while raising the price of housing on site? What is the current housing goal for downtown and how many units have already been approved that fulfill this goal?
- evaluate the impact on resident recreation and pet recreation, and green space for nearby

workers who take their breaks in the project area, taking into account population increase in this part of downtown and the increased need for public open space downtown as downtown grows and more housing units are added.

- evaluate noise and air pollution from construction/ management of construction noise – what mitigation measures are needed to protect existing residents from construction noise, construction equipment exhaust pollutants, dust, and safety hazards of construction?
- evaluate and mitigate the health effects upon neighboring residents and public from airborne dust, asbestos, and other particulate created by the demolition, grading, and construction of the site. In particular evaluate health impacts upon persons having impaired or sensitive lungs, including elderly persons who comprise the population of Pioneer Towers and are a significant part of the population of Bridgeway, Capitol Towers and Villas, and Governors Square. Persons having limited mobility living in the area use the walkways within the project area as their only pedestrian exercise and means of walking their dogs. Ventilation of individual units of Bridgeway Towers is done by opening balcony doors – the Bridgeway building HVAC provides filtered fresh air to Bridgeway hallways, but not to the units. The SCEA should disclose the ventilation systems of the other neighboring buildings and evaluate the effect of dust and asbestos particles created by project demolition and construction upon occupants of those buildings.
- the proposed parking structures will accommodate many more cars within the “superblock” than at present. Quantify and evaluate the additional air contaminants and particulate matter that would be generated, as compared to present use.
- evaluate the increased risk of manhattanization of downtown (cumulative impact) and loss of mix of housing types in downtown.
- evaluate loss of setbacks from existing buildings (Bridgeway, Pioneer Towers), including what are now public easements that provide spacing between buildings.
- evaluate viewscape impacts of new buildings on existing properties; evaluate obstruction of Capitol views, evaluate loss of sunlight upon Bridgeway and Pioneer Towers and those units whose sunlight and views would be blocked by the 7-story apartments planned 40 feet from the walls of those buildings.
- evaluate holding capacity of project area while maintaining existing community values. How many more units can be added without significantly compromising the original design and current livability and functionality of the superblock?
- evaluate the lack of bike lanes in the area and the increased need for bicycle facilities given the increased population. How will the project provide for bicycle parking and access?
- evaluate increased impact on neighborhood parks and urban infrastructure of additional population.

- evaluate the amount of open space and pedestrian right of way on former 6th and O Streets in project in the proposal compared to the City's original abandonment/dedication of 6th and O Street right of ways to provide scenic pedestrian walkways in the superblock.
- evaluate on site-wind tunnel effects of multiple new high rise buildings on pedestrians and neighborhood walkability. On a south wind day, compare wind speeds on 5th and 6th streets as a baseline condition.
- the City should undertake a study of the financial feasibility of all aspects of the project, including costs, and the market for rental or sale of units at a price that would make the project profitable, with a consultant selected by the City, who would be reimbursed by the project applicant.

Errors in project documents

Some of the project maps in the Application, draft PUD, and NOP erroneously show the boundary of Applicant's as extending to, or very close, to the eastern wall of the Bridgeway building. In fact Bridgeway's north-south property line is 30 feet east of the Bridgeway building. See proposed tentative parcel map for the correct depiction. All maps in all of the project documents should be revised to show the correct boundary lines.

It appears that the easternmost boundary of the Pioneer Towers property is also erroneously shown on some of the project maps. However we do not speak for the Pioneer Towers ownership.

The project Application page 6, "Community Engagement" states that an informational meeting was held on December 16, 2013, to "provide information and share early project concept with property owners and residents living on and adjacent to the project area." In fact postcard notices of that meeting was sent to property owners only (no renters). KW did not send notices to residents of Governors Square, Pioneer Towers, or Capitol Towers and Villas who are most of the neighborhood residents. This was brought to KW attention on December 13 and 16, 2013. KW again failed to give notice to the apartment neighbors prior to the February 18 meeting. Generally, renters were unaware of the project until told by Bridgeway residents or read about it in the Sacramento Bee. Some still do not know of the project.

KW located its public "community input" meetings in December and February at locations several blocks from the "superblock" even though there was plenty of room in the Capitol or Pioneer Towers community room for these meetings. The location effectively excluded attendance by persons with mobility impairments, who are a substantial part of the population of Pioneer Towers.

The "Community Engagement" states that there were discussions between the Applicant and community groups in December. Area residents and neighbors were not notified or included in those discussions. Kennedy Wilson has made no effort to engage with the Bridgeway Towers Owners Association.

At the February 18 public meeting, a Bridgeway condo owner asked if KW would be willing to work together with neighboring residents and condo owners to develop plans for a project that would be mutually acceptable. The response of a KW executive was a firm “no.”

The Notice of Preparation of Sustainable Communities Environmental Assessment is inadequate and fails to comply with law

CEQA Guideline 15082(a)(1)(A) and (C) requires that the NOP provide sufficient information describing the project and potential environmental effects to enable a meaningful response.

The NOP fails to provide sufficient information describing the project by failing to disclose that the project application seeks approval of a tentative subdivision map that would split the project area into six separate parcels, and approval of a Sacramento Commons PUD. The NOP fails to disclose that these documents are available for review in hard copy or electronically on the City’s website. These documents, if disclosed in the NOP, would enable reviewers to offer more detailed responses to the NOP.

A “transit priority” project (as defined by Public Resources Code §21155.1) may be eligible for a “streamlined” review process under CEQA if it has incorporated all feasible mitigation measures, performance standards, or criteria, etc, set forth in the “prior applicable” EIRs, etc, and adopted in findings. (Public Resources Code §21155.2(a).) The NOP claims that the project is eligible but fails to identify the “prior applicable EIRs” that are required by §21155.2(a.) to qualify the project or where copies of prior applicable EIRs and findings are available. Consequently it is impossible for reviewers of this NOP to determine if the project is eligible for abbreviated review as a “transit priority project”

Is a Sustainable Communities Environmental Assessment (“SCEA”) appropriate or adequate to review this project under CEQA?

The short answer is “very probably not.” If the project proves to be eligible for review by a SCEA as “transit priority project,” it may be reviewed through an SCEA only if the SCEA “contains measures that either avoid or mitigate to a level of insignificance all potential significant or significant effects of the project required to be identified in the initial study.” (Public Resources Code §21155.2(b)(2).)

It is highly likely that such a massive and complex project would have significant effects that cannot be avoided or mitigated to a level of insignificance. Projects of this scale and type almost always have some significant effects that cannot be mitigated to level of significance. Some have been identified elsewhere in this letter. At minimum, a determination by an SCEA that this project would have no significant environmental effects would probably provide fertile grounds for CEQA litigation. A more cautious developer or legal counsel would choose a conventional EIR as the environmental review mechanism for this project. The EIR process is slower and more thorough, but would avoid the large “gray areas” of the new CEQA “streamlining” legislation that have not yet been addressed by the Courts.

Thank you for this opportunity to comment on the NOP for Sacramento Commons.

Respectfully submitted,

Neighbors of Capitol Towers and Villas

Joe Parbl
Carl King

Adrienne Cordell

~~Ann M. Smith~~

Harold J. Green

Michael B. Kemmer

~~John A. Williams~~

~~John J. Pitzer~~

Judy Jay Stanley

Betty Louie

J. D. Brown

George P. Salerno

Zude Lamara

W. King

TO: Honorable Sacramento City Planning Commissioners,
Community Development Director Max Fernandez,
Planning Director David Kwong,
Senior Planner Scott Mende
City Manager John Shirey

This is a follow-up to correspondence previously sent to you by Julie Mumma, Judith Lamare, and James Pachl regarding the proposed Kennedy-Wilson (K-W) project slated for the Superblock (bounded by N and P Streets to the north and south, respectively, and 5th and 7th Streets to the west and east, respectively). While I agree with the points made in those letters and incorporate them by reference herein, the purpose of this contact is not to reiterate same but to raise health and safety concerns ignored by K-W.

Over 10 years ago, in *Barden v. City of Sacramento*, 292 F.3d 1073 (9th Cir. 2002), Sacramento was the defendant in a class action lawsuit brought by concerned citizens with disabilities under the ADA. In summary, the Ninth Circuit Court of Appeals rejected Sacramento's claim that the city was not responsible for making its sidewalks accessible under the ADA and the Rehab Act. The U.S. Supreme Court declined to hear the City's appeal, and a 30-year settlement agreement was entered into between the parties under which Sacramento is obligated to, among other things, remove access barriers from city sidewalks. As I will outline below, the K-W project could breach the spirit, if not the letter, of that settlement and the court's decision.

I am blind, and it is a challenge for me to walk around this Superblock during my daily commute to work. Obstacles and obstructions, such as uneven sidewalks and impatient motorists who straddle the sidewalk while exiting driveways are particularly hazardous. Fortunately, the current volume of these hazards are manageable, but if the K-W project is approved, then things will get drastically worse.

Currently, there are 2 driveways plus the 6th Street easement on N Street, 1 driveway plus the O Street easement on 7th Street, 1 driveway and the O Street easement on 5th Street, and approximately 1 driveway plus the 6th Street easement on P Street. K-W's project will increase, exponentially, the number of vehicles exiting/entering this Superblock, and with the addition of 5 buildings (2 of which are 22-story towers) and a 22-story hotel it would not be surprising if new

driveways are created for each of these structures. The hotel can be expected to have a circular driveway for guest drop offs and pick up, along with a taxi stand. In addition, N and P Streets can expect to carry the brunt of the J/L Street traffic overflow because of the new arena. Furthermore, light rail travels down 7th and 8th Streets, traversing N Street (regularly at 8-minute intervals), adding yet another traffic bottleneck. Put together, one can expect to see bumper to bumper traffic on the streets that circumscribe the Superblock on a regular basis, with vehicles attempting to depart/enter the community.

The 32-inch minimum sidewalk space mandated by the *Barden* settlement will be a pipedream as cars trying to leave the Superblock and merge into traffic will tail-gate each other, straddling the sidewalk, thereby impeding the progress of pedestrians. Pedestrians with mobility and vision issues will find it very difficult and dangerous to get around these cars, assuming there is enough space between the cars on the sidewalk pavement. If the K-W project adds more driveways, there will be more sidewalk barriers; if K-W does not add more driveways, then the pedestrian wait will be unreasonably prolonged. Moreover, the 6th Street and O Street easements might be used as methods of ingress and egress for the new buildings, thus eliminating safe walking paths into the Superblock community for pedestrians. Unfortunately, this is the “best” case scenario.

The worst case scenario is a repeat of the SACA (Twin Towers) debacle on Capitol Mall. As typical for much Sacramento construction projects, barriers will be erected blocking off sidewalk access, thereby forcing pedestrians to either the gutter or the street. Normally, responsible city officials would require construction companies to erect scaffolding over existing sidewalks that leaves the sidewalk unimpeded while protecting pedestrians from debris, but this does not appear to be the practice in Sacramento. Instead, pedestrians are forced to cross already clogged streets to use the sidewalk on the opposite side, and then double back across the same street to get back on track; each additional street crossing multiplies the risk of vehicular /pedestrian accidents, especially for those pedestrians with visual and mobility difficulties. Existing major bus stops at 7th and O Streets, and 5th and P Streets would be eliminated, forcing those who rely on public transit as their only mode of transportation to face additional traffic hazards as they will need to travel further to access alternatives. More to the point, if the K-W project fails, a la SACA, these sidewalk obstructions will become permanent barriers. Abandoned construction debris will be scattered about, and the sidewalks surrounding the Superblock will be in disrepair. Project failure also invites crime – drugs, prostitution, vagrancy, etc. – as well as vermin, presenting more barriers for all pedestrians. Clearly, if history teaches us anything, the K-W project can transform this highly successful Superblock from an urban delight to urban blight.

Therefore, the K-W project, regardless of success or failure, poses substantial harm to Sacramento residents protected by the ADA. The barriers and obstacles that will be created by the K-W project will impede access to Sacramento's sidewalks resulting in a violation of the *Barden* settlement and decision, which is less than halfway through its 30-year term. The *Barden* settlement and decision requires Sacramento to eliminate barriers to access, but your approval of the K-W project will instead erect barriers to access. Hence, it is respectfully requested that your approval for the K-W project be withheld. There are numerous sites in Sacramento that are currently blighted and can benefit from this type of project; the Superblock is not one of them.

Tommy Leung

Bridgeway Towers



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

May 12, 2014

Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Boulevard Third Floor
Sacramento CA 95881

VIA E-mail: srjohnson@cityofsacramento.org

RE: Notice of Preparation, Sacramento Commons Project (P14-012)

Dear Mr. Johnson,

This letter is in response to the above referenced Notice of Preparation for the Sacramento Commons Project issued by the City of Sacramento Community Development Department, pursuant to the California Environmental Quality Act (CEQA). The National Trust is concerned that the City has prematurely determined the project eligible for a Sustainable Communities Environmental Assessment without fully analyzing its eligibility for the California Register of Historical Resources. We believe that further investigation into the significance of the resource is required based on the concerns of local residents and preservation professionals.

The National Trust for Historic Preservation was chartered by Congress in 1949 as a private nonprofit membership organization for the purpose of furthering the historic preservation policies of the United States and facilitating public participation in the preservation of our nation's heritage. 16 U.S.C. § 468. The National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

As stated in your April 8, 2014 memorandum, the Sacramento Commons project is proposed for a downtown site that is currently developed with a mix of high density residential and office complexes, along with neighborhood-serving commercial uses and a variety of recreational and residential amenities including landscaped areas and parking structures. This area was originally designed and constructed during the mid-20th century (1958 to 1965) as the Capitol Tower and Garden Apartments.

We understand that a Sacramento-based preservation organization, SacMod, along with the Northern California chapter of Docomomo (the international committee for the documentation and conservation of buildings, sites and neighborhoods of the modern movement), believes that the neighborhood to be affected by the Sacramento Commons project is eligible for the National Register of Historic Places and the California Register of Historical Resources. We believe these groups have made a compelling claim that the site has unique architectural significance (a host of distinguished architects and designers were involved in this project) and unique association with the development of Sacramento as a capital city.

We advise the City of Sacramento to evaluate the Capitol Tower and Garden Apartments for its potential historic significance prior to making determination that the project is

eligible for a Sustainable Communities Environmental Assessment (SCEA). As stated in Pub. Resources Code § 21084.1 “[t]he fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.” Rather, the question the City must address is whether a “fair argument” can be made as to whether a resource may be eligible for listing in the California Register. *Architectural Heritage Ass’n v. County of Monterey* (2004) 122 Cal.App.4th 1095. The standard is met by a fact-based opinion of an historian or an advisory commission that a property qualifies as historic. The fair argument standard triggers an Environmental Impact Report if any substantial evidence in the record — that is, facts or reasonable assumptions/expert opinions based on facts — supports a fair argument that significant impacts may occur, *even if* a different conclusion may also be well-supported. *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000-1003. Importantly, if there is a dispute among experts, the City must defer to the evidence in favor of environmental review. *E.g.*, Guideline § 15064 (f).

CEQA further provides that transit priority projects may only avail themselves of the accelerated SCEA process if the project complies with environmental criteria including, as stated in Pub. Resources Code § 21155.1 (a)5, that the “project does not have a significant effect on historical resources pursuant to Section 21084.1.” We believe there is strong evidence that the project as proposed has the potential to cause such a significant effect. Therefore we urge the City not to streamline review, but instead complete Environmental Impact Report that contains a fair and equitable analysis of feasible preservation alternatives.

We are concerned that in an attempt to further important sustainability goals through a streamlined process, the City of Sacramento will be adversely affecting the community’s natural and cultural resources. A deeper understanding of the attributes of the historic development should result in a project that meets the city’s sustainability and transit objectives.

Thank you for the opportunity to review and comment on the Notice of Preparation. Please contact Senior Field Officer Sheri Freemuth if you have any questions or concerns at sfreemuth@savingplaces.org.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Brian R. Turner". The signature is written in a cursive style with a long, sweeping flourish at the end.

Brian Turner
Attorney
San Francisco Field Office



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Notice of Preparation

April 10, 2014

To: Reviewing Agencies
Re: Sacramento Commons (P14-012)
SCH# 2014042032

Attached for your review and comment is the Notice of Preparation (NOP) for the Sacramento Commons (P14-012) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Scott Johnson
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2014042032
Project Title Sacramento Commons (P14-012)
Lead Agency Sacramento, City of

Type NOP Notice of Preparation
Description The project would enhance the pedestrian walkways and replace 206 existing garden apartment units with approximately 1,400-1,500 new dwelling units (including the existing 203-unit Capitol Tower high-rise) of various types and densities (a net increase of approximately 1,200-1,300 dwelling units), new parking structures with up to 1,778 spaces serve uses on-site, approximately 65,000-69,000 sf of neighborhood-serving retail and/or support uses, and 44,000 sf of live-work space to activate the streets, public areas, and pedestrian spaces of the community.

Lead Agency Contact

Name Scott Johnson
Agency City of Sacramento Fax
Phone 916 808 5842
email
Address 300 Richards Boulevard, 3rd Floor State CA Zip 95811
City Sacramento

Project Location

County Sacramento
City Sacramento
Region
Cross Streets 5th / P / 7th / N Street
Lat / Long
Parcel No. 006-0300-002, -003, -004 Section Base
Township Range

Proximity to:

Highways I-5, US-50
Airports
Railways
Waterways Sacramento River
Schools William Land ES
Land Use Residential / R-5 Multi-family / Central Business District

Project Issues

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Resource Recycling and Recovery; Department of Fish and Wildlife, Region 2; Delta Protection Commission; Office of Emergency Services, California; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 3 S; Air Resources Board; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 04/10/2014 Start of Review 04/10/2014 End of Review 05/09/2014

County: SACRAMENTO

Regional Water Quality Control Board (RWQCB)

Caltrans, District 8
Dan Kopulsky

Native American Heritage Comm.
Debbie Treadway

Fish & Wildlife Region 1E
Laurie Harnsberger

Resources Agency
Nadell Gayou

RWQCB 1
Cathleen Hudson
North Coast Region (1)

Caltrans, District 9
Gayle Rosander

Public Utilities Commission
Leo Wong

Fish & Wildlife Region 2
Jeff Drongesen

Dept. of Boating & Waterways
Nicole Wong

RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

Caltrans, District 10
Tom Dumas

Santa Monica Bay Restoration
Guangyu Wang

Fish & Wildlife Region 3
Charles Armor

Dept. of Boating & Waterways
Nicole Wong

RWQCB 3
Central Coast Region (3)

Caltrans, District 11
Jacob Armstrong

State Lands Commission
Jennifer Deleong

Fish & Wildlife Region 4
Julie Vance

Dept. of Boating & Waterways
Nicole Wong

RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

Caltrans, District 12
Maureen El Harake

Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

California Coastal Commission
Elizabeth A. Fuchs

RWQCB 5S
Central Valley Region (5)

Cal EPA
Air Resources Board

Business, Trans & Housing
Caltrans - Division of Aeronautics
Philip Crimmins

Fish & Wildlife Region 6
Gabrina Gatchel
Habitat Conservation Program

Colorado River Board
Tanya Trujillo

RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

All Projects
CEQA Coordinator

Caltrans - Division of Aeronautics
Philip Crimmins

Fish & Wildlife Region 6 I/M
Heidi Sickler
Inyo/Mono, Habitat Conservation Program

Dept. of Conservation
Elizabeth Carpenter

RWQCB 5R
Central Valley Region (5)
Redding Branch Office

Transportation Projects
Nesamani Kalandiyur

Caltrans - Planning
Terri Pencovic

Dept. of Fish & Wildlife M
George Isaac
Marine Region

California Energy Commission
Eric Knight

RWQCB 6
Lahontan Region (6)

Industrial Projects
Mike Tollstrup

California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Agriculture
Sandra Schubert
Dept. of Food and Agriculture

Cal Fire
Dan Foster

RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of General Services
Public School Construction

Office of Historic Preservation
Ron Parsons

RWQCB 7
Colorado River Basin Region (7)

State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

Dept. of Transportation
Caltrans, District 1
Rex Jackman

Dept. of General Services
Anna Garbeff
Environmental Services Section

Dept. of Parks & Recreation
Environmental Stewardship Section

RWQCB 8
Santa Ana Region (8)

Phil Crader
Division of Water Rights

Caltrans, District 2
Marcelino Gonzalez

Dept. of Public Health
Jeffery Worth
Dept. of Health/Drinking Water

California Department of Resources, Recycling & Recovery
Sue O'Leary

RWQCB 9
San Diego Region (9)

Dept. of Toxic Substances Control
CEQA Tracking Center

Caltrans, District 3
Gary Arnold

Dept. of Health/Drinking Water
Dept. of Health/Drinking Water

S.F. Bay Conservation & Dev't Comm.
Steve McAdam

Other

Department of Pesticide Regulation
CEQA Coordinator

Caltrans, District 4
Erik Alm

Dept. of Health/Drinking Water
Dept. of Health/Drinking Water

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 5
David Murray

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 6
Michael Navarro

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 7
Dianna Watson

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 8
Michael Navarro

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 9
Dianna Watson

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 10
Dianna Watson

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Conservation

CEQA Coordinator

Caltrans, District 11
Dianna Watson

Delta Stewardship Council
Kevan Samsam

Dept. of Water Resources Resources Agency
Nadell Gayou

Notice of Completion & Environmental Document Transmittal

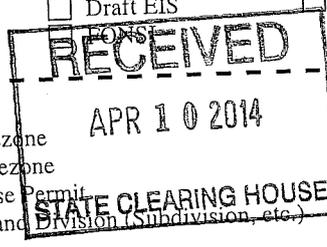
Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SC# 2014042032

Project Title: Sacramento Commons (P14-012)
Lead Agency: City of Sacramento
Mailing Address: 300 Richards Boulevard, 3rd Floor
City: Sacramento **Zip:** 95811
Contact Person: Scott Johnson
Phone: (916) 808-5842
County: Sacramento

Project Location: County: Sacramento City/Nearest Community: Sacramento Zip Code: 95814
Cross Streets: 5th / P / 7th / N streets
Longitude/Latitude (degrees, minutes and seconds): _____ " N / _____ " W **Total Acres:** 11.17 gross
Assessor's Parcel No.: 006-0300-002, -003, -004 **Section:** _____ **Twp.:** _____ **Range:** _____ **Base:** _____
Within 2 Miles: State Hwy #: I-5, US-50 **Waterways:** Sacramento River **Schools:** William Land Elem.
Airports: _____ **Railways:** _____

Document Type:
CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____



Local Action Type:
 General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: Design Review

Development Type:
 Residential: Units ~1500 Acres 10
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. 69,000 Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:
 Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:
Residential / R-5 Multi-family / Central Business District

Project Description: (please use a separate page if necessary)
The project would enhance the pedestrian walkways and replace 206 existing garden apartment units with approximately 1,400-1,500 new dwelling units (including the existing 203-unit Capitol Tower high-rise) of various types and densities (a net increase of approximately 1,200-1,300 dwelling units), new parking structures with up to 1,778 spaces serve uses on-site, approximately 65,000-69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space to activate the streets, public areas, and pedestrian spaces of the community.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in. Revised 2010

Scott Johnson

From: Patrick J. Wilson <pjwilson1@gmail.com>
Sent: Thursday, April 10, 2014 10:45 AM
To: Scott Johnson
Subject: Re: Sacramento Commons

Scott Johnson
City of Sacramento

I think redevelopment of the Capitol Towers site is a great idea. However any proposal should include returning the right of way and rebuilding O street and 6th street. It's time to restore the Sacramento grid and start undoing the mistakes of the 50's,60's and 70's when "Superblocks" were the fashion of the time.

This super block has no future in a revitalizing Downtown Sacramento. You even still have the mature street trees from where O street used to be. I don't think you need the full 80 foot standard street right away. 40 feet is plenty for 2 car lanes and bike lanes.

Corresponding, with the street grid restored, activity and retail uses should face the street, not inward like the current or proposed site.

I hope you consider making this a requirement of this redevelopment. It's time to restore the grid!

Patrick J. Wilson
2531 Q Street
916-776-6048

May 9, 2014

VIA E-MAIL AND
FIRST CLASS MAIL

Scott Johnson, Associates Planner
City of Sacramento Community Development
Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811
email: srjohnson@cityofsacramento.org

Shirley Concolino, MMC
City Clerk, City of Sacramento
915 I Street
New City Hall
Sacramento, CA 95814
email: clerk@cityofsacramento.org

Re: Notices re Sacramento Commons project, P14-012

Dear Mr. Johnson and Ms. Concolino:

Please provide my office with all notices regarding the Sacramento Commons project (P14-012) at the address listed below to the attention of Peter Howell and myself. Alternatively, if the notices are available via email please provided the notices to phowell@rutan.com and alevin@rutan.com. This request for notification includes, but is not limited to, all notices pursuant to Public Resources Code section 21092.1 and any and all notices of public hearings related to the Sacramento Commons project (P14-012). If you require further information or if this request should be directed to another City of Sacramento department or person, please advise me of such or forward the request.

Sincerely,

RUTAN & TUCKER, LLP



Ann Levin

AL:lc
cc: Peter Howell



May 6, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811-0218
srjohnson@cityofsacramento.org

Subject: Notice of Preparation of a Sustainable Communities Environmental Assessment for the Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

Thank you for the opportunity to comment on the Sacramento Commons project. We support this project because it will increase residential density in a location having the potential for great connections to non-vehicular modes of transportation for access to downtown Sacramento and the larger Sacramento region.

We request that you ensure that this project makes it possible for its residents, employees, and visitors to safely and conveniently take more trips by bike. Safe and convenient trips by bicycle can be ensured in 3 ways:

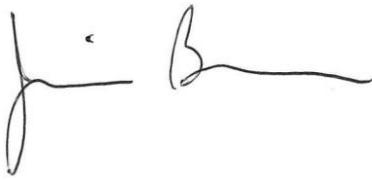
- Adequate bicycle parking. The project will comply with Sacramento's requirements for short-term and long-term bicycle parking. We encourage the project to go beyond the basic requirements by providing bicycle parking that is noteworthy as an amenity of the project and therefore a selling point to potential residents and business occupants. For example, a state-of-the-art "bike station" can be included in the project to serve residents, employees, and long-term visitors with a secure, indoor, 24-hour accessible bike-parking facility; such a facility might also provide tools and supplies for minor bike repairs and servicing (e.g., flat repairs, tire inflation).
- Adequate bicycle access within the project. Because the project occupies 4 city blocks, internal access by bicycle will be critical. We request that bikeways be provided as part of the internal promenades along the 6th St. and O St. alignments through the site. These bikeways can be delineated by pavement-surface treatments to show cyclists where they should ride to avoid conflicts with pedestrians. Signage can be used to guide cyclists to long-term bike parking and to exits from the project to the surrounding neighborhood.
- Adequate bicycle access to the project site. The project is located adjacent to and near several important routes for bike access in downtown Sacramento (e.g., 5th St. north to the Arena site and the Sacramento Valley Station and south to the R St. corridor, N St. east to the Capitol and midtown and west to Crocker Art Museum and the Sacramento River Parkway). It will be critical for the project to ensure it enhances access for cyclists to and along these bike connections. For example, because the project will include abundant internal

vehicle parking, perhaps on-street parking along 5th and N streets can be replaced with enhanced (i.e. protected) bike lanes.

Because of the project's location in proximity to many amenities and multi-modal connections, it can make a major contribution to sustainable transportation in downtown Sacramento. We believe that enhancing the project's convenience and attractiveness for bicyclists will help it fully achieve this potential and make it a desirable location for 21st century residents and business owners.

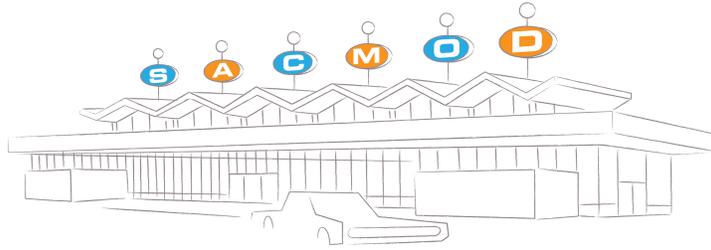
Please feel welcome to contact me with questions at 916-444-6600 or jim@sacbike.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Brown', with a stylized flourish at the end.

Jim Brown
Executive Director

CC Paul Philley, SMAQMD (pphilley@airquality.org)
Ed Cox, City of Sacramento Alternative Modes Coordinator (ecox@cityofsacramento.org)



May 6, 2014

Submitted by e-mail

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95881
E-mail: sjohnson@cityofsacramento.org

Re: Notice of Preparation, Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

On behalf of Sacramento Modern (SacMod), thank you for the opportunity to comment on the Notice of Preparation (NOP) of a Sustainable Communities Environmental Assessment (SCEA) for the Sacramento Commons Project (Commons). As you know, SacMod has been observing the developments and discussions surrounding the proposed plans to demolish and redesign parts of the historic neighborhood that were designed and constructed between 1958 and 1965 by Wurster, Bernardi and Emmons, Edward Larrabee Barnes, Vernon DeMars and Donald Reay, Lawrence Halprin, et al.

SacMod is a 501(c)(3) non-profit organization founded in 2010; we are dedicated to preserving modern art, architecture, and design in the Sacramento region. We do this by conducting home tours, bike tours, walking tours, film screenings, preservation campaigns, publications, and educating the public about modernism.

We have extensively researched the original design of the neighborhood where the Commons project is being planned. Accordingly, we have conducted several site visits and examined various documents, reports, and archives. We believe the original design is an iconic and irreplaceable example of mid-20th century architecture. In particular, the individual elements — the low-rise apartments, the high rise building, the sculptural wall by Jacques Overhoff, and the overall master plan and its key position and contribution to urban renewal and redevelopment — comprise a residential community that is not

A 501(c)(3) non-profit organization dedicated to promoting, preserving and protecting modern art, architecture and design in the Sacramento region.

Gretchen Steinberg 4910 South Land Park Drive, Sacramento, CA 95822
gretchen@SacMod.org
SacMod.org

only an historic resource but is unique and unlike any other neighborhood in Sacramento.

We are unequivocally opposed to the proposed Commons project. The planned demolition and redesign of the neighborhood will have devastating impacts on numerous levels. Because of the scope and magnitude of the proposed Commons project and its impacts, especially on an historic site, we assert the project should be evaluated through the Environmental Impact Report (EIR) process, not through the accelerated SCEA process.

The existing historic neighborhood has already proven to be a beautiful and successful example of a pedestrian and bicycle-friendly mixed-use community — which was designed at the human scale with open, park-like green spaces and gathering places.

We further urge that:

- 1) the investors/developers and their contractors choose a more appropriate site, and;
- 2) the City recognize the targeted buildings, structures, landscaping and master plan as historic resources so that they receive the proper stewardship they merit.

BACKGROUND

Kennedy Wilson (KW), a real estate investment services company, purchased the neighborhood mid-2012. In December 2013, KW presented their plans to demolish and rebuild parts of the neighborhood to increase density. KW has hired contractors, including AECOM (Architecture, Engineering, Consulting, Operations, and Maintenance) who is also involved in the Sacramento Entertainment and Sports Complex (Arena).

On February 18, 2014, SacMod board members attended a public meeting during which representatives from KW and AECOM discussed their proposed plans. They articulated proposed changes to the existing Capitol Tower neighborhood that included:

- resurfacing the historic Capitol Tower with a new “skin”;
- demolishing all of the historic low-rise “villa” apartments;
- adding a 20-22 story condo / hotel tower;
- adding two 22 story towers;
- adding four large L-shaped six story mid-rises and a separate six-story mid-rise with a smaller footprint (for a total of five mid-rises);
- adding parking at the rate of one space per unit, at ground level and up;
- using a “podium plan” - everything will be from the ground up with a vertical emphasis;
- increasing the number of living units from 409 to 1600.

HISTORIC RESOURCES

Capitol Tower and Garden Apartments were designed and built from approximately 1958 to 1965. This mid-20th century downtown neighborhood includes the interplay of

high-rises, individual low-rise garden apartments, and open space urban planning with park-like green spaces, recreational areas, and car-free bicycle and pedestrian areas.

The caliber of talent from renowned modern masters involved in the original design of this historic neighborhood is impressive. Capitol Tower and Garden Apartments was among the earliest large-scale redevelopment projects for most of these architects, and it includes many of the thoughtful design principles that characterize each of their most celebrated works. All of the architects involved in the project received the distinction of being a Fellow of the American Institute of Architects (FAIA) — and some were even bestowed the highest honor, a Gold Medal (GM):

Project Architects

- Wurster Bernardi and Emmons

- William W. Wurster, FAIA and GM
- Theodore C. Bernardi, FAIA
- Donn Emmons, FAIA
- Karl E. Treffinger, FAIA

- Edward Larrabee Barnes, FAIA and GM

- DeMars and Reay

- Vernon A. DeMars, FAIA
- Donald P. Reay, FAIA

Associate Architects

- Mayer, Whittlesey and Glass

- Albert Mayer, FAIA
- Julian H. Whittlesey, FAIA
- M. Milton Glass, FAIA

- Dreyfuss + Blackford Architects

- Albert Dreyfuss, FAIA
- Leonard Blackford, FAIA

Landscape Architect

- *Lawrence Halprin*, Fellow and Gold Medal Recipient, ASLA (American Society of Landscape Architects)

Artist

- *Jacques Overhoff*. sculptural wall (1961)

Please note that SacMod has been advised by the City that the Overhoff sculptural wall is classified as a “structure.” While the narrative on page 2 of the March 2014 Draft entitled “Sacramento Commons PUD Guidelines” (Draft PUD) indicates that KW intends to retain the wall on-site, SacMod is very concerned that the wall is not adequately protected. We caution against any potential harm should there be an attempt to relocate

it and ask there be appropriate consults and studies conducted by experts should such an attempt be made.

We are also alarmed by and opposed to KW's plans to modify the historic, elegant, and timeless design of the Capitol Tower apartment building by adding a new "skin."

The original design of the neighborhood received international attention from leading architectural publications as well as awards and accolades, including:

- 1959: "First Design Award: Urban Design Project - Wurster, Bernardi & Emmons; Edward L. Barnes; DeMars & Reay. *Progressive Architecture*.
- 1962: "First Design Award: Diversifying Redevelopment" - Wurster, Bernardi & Emmons; Edward L. Barnes; DeMars & Reay. *Progressive Architecture*.
- 1962: Honorable Mention: *House & Home - Life - American Institute of Architects* Homes for Better Living Awards Program.
- 1963: Merit Award, American Institute of Architects Northern Chapter.
- 1964: First Honor Award, Urban Renewal Design Honor Awards Program; United States Urban Renewal Administration.
- 1966: Governor's Design Award (Edmond G. Brown) - Urban Buildings category.
- 2001: Illustrative example of "Smart Growth" and fostering a walkable, close-knit neighborhood by the PLACE³S Program/The California Energy Commission with support from McKeever/Morris, a division of Parsons Brinkerhoff.

The historic significance of the neighborhood is not just limited to buildings, structures, and landscaping. The neighborhood is a prime example of mid-20th century redevelopment and urban renewal national trends reflecting the early hope and optimism that well-designed progressive housing could revive deteriorating city centers. The neighborhood also embodies forward-thinking urban planning principles. The resulting design incorporated "open-space" planning with "mixed-use" — and has been car-free, pedestrian friendly, and near a transportation hub from the onset.

We believe Capitol Tower and Garden Apartments qualifies as a historic resource under CEQA. The EIR should treat the site as historic and evaluate feasible preservation alternatives that avoid or reduce significant impacts. Please refer to SacMod's "Fact Sheet" (enclosed) for additional details regarding the people involved in designing and building the historic neighborhood.

EXISTING NEIGHBORHOOD ALREADY MEETS TPP QUALIFICATIONS

The City's NOP Notice dated April 8, 2014 defines the Commons project as "a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP). Pursuant to California Public Resources Code section 21155(b), a TPP must meet the following requirements: (1) the project must contain at least 50 percent residential use based on total building

square footage; (2) the project must have a minimum net density of 20 dwelling units per acre; and (3) the project must be located within one-half mile of a major transit stop or high quality transit corridor included in the regional transportation plan.”

According to our calculations, the existing historic neighborhood *already* meets the TPP qualifications. It therefore is of little significance that the Commons project espouses to achieve TPP goals. Public policy should not reward the destruction of one TPP site for the creation of another. The net effect would be an increase, not decrease, in greenhouse emissions (as opposed to developing a TPP in an otherwise noncompliant location).

SacMod therefore takes issue with the misuse of the TPP procedure being applied to the Commons project. SacMod also objects to the project being categorized as an “infill” project. We feel these are highly misleading and inappropriate applications of the law.

Relevant to the Commons project’s goal of increasing density, SacMod is calling on the City to ask KW to disclose monthly occupancy rates since they purchased the property in 2012.

“SUSTAINABILITY” AND “INNOVATION”

There is nothing less sustainable than destroying perfectly good, historic buildings. Simply adding density after demolishing a livable community does not make a project more sustainable.

The Commons project is not a “sustainable communities project” as that term is defined in California Public Resources Code section 21155.1. The Commons project exceeds the land use criteria specified in subsection (b) of that statute, which limits projects to 8 acres and 200 residential units, amongst other criteria. More importantly though, the existing site is an historical resource. The Commons project will have a significant impact, indeed a destructive impact, on the existing historic resource. Quite disingenuously, the Commons project essentially seeks to avail itself of the benefits conferred on sustainable communities through the destruction of an historic and architecturally significant site that managed to achieve the goals and benefits of a sustainable community long before such classification was statutorily conceived. Fortunately, California Public Resources Code section 21155.1(a)(5) expressly denies implementation of the sustainable communities strategy for this project. As such, the City may not use the Sustainable Communities Environmental Assessment (SCEA) in lieu of the CEQA process.

Additionally, SacMod has not yet seen any demonstrable evidence of innovation in relation to the proposed Commons project. When directly asked what innovations and sustainable elements the project incorporated, KW representatives were unable to articulate anything beyond meeting bare minimum standards and legal requirements. Merely labeling a project sustainable and innovative does not necessarily make it so.

Many of the proposed concepts for the Commons are simply a repackaging and reselling of attributes and amenities that already exist or can be further enhanced on the historic site.

PROJECT ELEVATIONS, PERSPECTIVES, SHADOW STUDIES

Thus far, KW has only submitted plan views and idea boards of their proposed Commons project. Design elevations and perspective drawings have been conspicuously absent.

SacMod urges the City to require that KW to produce proper elevations and perspective drawings so the impact of buildings and mass in the neighborhood and areas adjacent to the neighborhood are well-understood.

Furthermore, it is imperative that these visualizations include hourly shadow studies so that the impact of the proposed buildings and mass are apparent to everyone.

TREES

A tally of the overall number and quality of *existing* trees versus the number and quality of anticipated trees after the project is completed seems in order.

SacMod's research indicates that extraordinary measures by the original design team were taken to preserve pre-existing trees on site. The Commons project should not harm Sacramento's urban tree canopy, which is a vitally important contributor to cooling Downtown's microclimate.

STEWARDSHIP

While the fate of the historic neighborhood is being decided, SacMod calls upon the City to ensure that KW proactively maintain and provide necessary repairs to the neighborhood so that "demolition by neglect" does not occur.

VIABLE PROJECT ALTERNATIVES

1) KW can embrace and respect the existing historic design and become an award-winning example of historic stewardship.

2) KW can build the project elsewhere in a vacant or available lot that needs enhancement, thereby fulfilling the goals envisioned and promoted by TPP and infill policies.

3) KW can add density in a manner that is respectful to the historic design and original master plan.

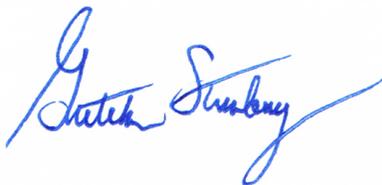
4) KW can meet expressed objectives in the Draft PUD by using already existing historic assets or by adding amenities to the existing historic assets. In particular, the concepts and ideas delineated on: page 10 (“Community Objectives”); page 13 (“Planning and Site Design” and “Buildings and Landscaping”); page 18 (“Landscape Open Space Concepts”); page 22 (“Active Ground Floor Uses”); page 28 (“Live Work...”); page 32 (“Bicycle Parking Standards”); and page 44 (“Landscape Design” and its subcategories) — can be achieved by enhancing what is there, not destroying it.

As a matter of fact, the majority of ideas expressed in the Draft PUD either already exist at the site or can be accomplished without demolition or destruction of the historic buildings, the historic structures, the historic landscaping, and the historic master plan.

In closing, SacMod urges that the City deny approval of the Sacramento Commons project. In the excitement surrounding the Arena plans and consequent rush to densify downtown, this neighborhood has been inappropriately targeted. It does not make sense to destroy the most beautiful, functional, and successful residential community downtown. This historic residential neighborhood remains unparalleled in the architectural talent and planning principles it embodies even to this day. Furthermore, we believe the neighborhood is mis-categorized as an “infill” project and already exemplifies the very core concepts the Commons project is seeking to achieve. The neighborhood is already walkable, livable and desirable; why ruin a perfectly nice place to live?

SacMod would like to offer technical assistance regarding the historical aspects of the site and invites consults regarding historic stewardship.

Respectfully submitted,



Gretchen Steinberg, President, SacMod
In conjunction with the SacMod Board of Directors:

Dane Henas, Vice President
Nick Vinciguerra, Secretary
Zann Gates, Treasurer
Justin Wood, Director At-Large
Jon Hill, Director At-Large

cc:

Cassandra Jennings - Senior Advisor to Mayor Kevin Johnson, City of Sacramento
Steve Hansen - Councilmember, District 4, City of Sacramento
Angelique Ashby - Councilmember, District 1, City of Sacramento
Allen Warren - Councilmember, District 2, City of Sacramento
Steve Cohn - Councilmember, District 2, City of Sacramento
Jay Schenirer - Councilmember, District 5, City of Sacramento
Kevin McCarty - Councilmember, District 6, City of Sacramento
Darrell Fong - Councilmember, District 7, City of Sacramento
Bonnie Pannell - Councilmember, District 8, City of Sacramento
Scot Mende, Principal Planner, City of Sacramento
Roberta Deering, LEED AP, Preservation Director
Shelly Willis, Executive Director, Sacramento Metropolitan Arts Commission
Anthony Veerkamp, Field Director, S.F. Field Office, National Trust for Historic Preservation
Cindy Heitzman, Executive Director, California Preservation Foundation
Melisa Gaudreau, AIA - Chair, Sacramento Heritage, Inc.
William Burg, President, Sacramento Old City Association
Dreyfuss and Blackford Architects
Raymond L. Thretheway, III, Executive Director, Sacramento Tree Foundation
Jim Pacht and Judith Lamare, Neighbors of Capitol Towers and Villas
Julie Mumma, NO Sacramento Commons Project
Darryl Rutherford, Executive Director, Sacramento Housing Alliance
Chris Holm, Project Analyst, Walk Sacramento
Jim Brown, Executive Director, Sacramento Area Bicycle Advocates
Bob Martone, Chief, Asset Management, Department of General Services
Director of Research, Eye on Sacramento
Kelly T. Smith, The Smith Firm
Michael Ault, Executive Director, Downtown Sacramento Partnership
Southside Park Neighborhood Association
Greater Broadway Partnership
R Street Partnership
Carr Kunze
Kathleen Green

Fact Sheet: Architectural History of Capitol Tower and Garden Apartments

Capitol Tower and Garden Apartments were designed and built from approximately 1958 to 1965. This mid-20th century downtown neighborhood includes the interplay of high-rises, individual low-rise garden apartments, and open space urban planning with park-like green spaces, recreational areas, and car-free bicycle and pedestrian areas.

Project Awards & Special Mentions

- 1959: "First Design Award: Urban Design Project - Wurster, Bernardi & Emmons; Edward L. Barnes; DeMars & Reay. *Progressive Architecture*.
- 1962: "First Design Award: Diversifying Redevelopment" - Wurster, Bernardi & Emmons; Edward L. Barnes; DeMars & Reay. *Progressive Architecture*.
- 1962: Honorable Mention: *House & Home - Life - American Institute of Architects* Homes for Better Living Awards Program.
- 1963: Merit Award, American Institute of Architects Northern Chapter. *Arts & Architecture*.
- 1964: First Honor Award, Urban Renewal Design Honor Awards Program; United States Urban Renewal Administration.
- 1966: Governor's Design Award (Edmond G. Brown) - Urban Buildings category.
- 2001: Illustrative example of "Smart Growth" and "fostering a walkable, close-knit neighborhood" by the PLACES Program/The California Energy Commission with support from McKeever/Morris, a division of Parsons Brinkerhoff.



- Architectural rendering by Helmut Jacoby

Fact Sheet: Architectural History of Capitol Tower and Garden Apartments

Internationally and locally renowned modern masters played an important role in the concept and design of Capitol Tower and Garden Apartments.

Initial high-rise and low-rise apartment urban planning concept for Capitol Mall

- *Richard Neutra*, FAIA + GM and *Richard E. Alexander*, FAIA;
Collaborating: Dion Neutra, Dike Nagano, Al Boeke, Dick Hunter, Toby Schmidbauer, A.W. Parker and J.E. Zehnder, Civil and Structural Engineers



Photo by Jerry Stoll

PHASE ONE: 1958 to 1961

Project Architects

- *Wurster Bernardi and Emmons*
 - William W. Wurster, FAIA + GM
 - Theodore C. Bernardi, FAIA
 - Donn Emmons, FAIA (Partner-in-Charge)
 - Karl E. Treffinger, FAIA (Job Captain)

- *Edward Larrabee Barnes*, FAIA + GM

- *DeMars and Reay*
 - Vernon A. DeMars, FAIA
 - Donald P. Reay, FAIA

Fact Sheet: Architectural History of Capitol Tower and Garden Apartments

Associate Architects

- *Mayer, Whittlesey and Glass* - architecture and planning
 - Albert Mayer, FAIA
 - Julian H. Whittlesey, FAIA
 - M. Milton Glass, FAIA
- *Dreyfuss + Blackford Architects* - architecture
 - Albert Dreyfuss, FAIA
 - Leonard Blackford, FAIA

Landscape Architect

- *Lawrence Halprin*, Fellow and Gold Medal Recipient, ASLA (American Society of Landscape Architects)

Designers

- *Alexander Girard*, AIA, Color Consultant
- *Saul Bass*, Street Furniture Consultant
- *Helmut Jacoby*, Architectural Drawings / Renderings

Artist

- *Jacques Overhoff*. sculptural wall (1961)



Photo of developer and architects receiving their award from *Progressive Architecture*, January 16, 1959.

Fact Sheet: Architectural History of Capitol Tower and Garden Apartments

Construction of the Garden Apartments (now Villas) and grounds involved the following businesses and professionals:

Developers - Capitol Mall Redevelopment Corporation (organized 03.05.1958)

- *James H. Scheuer* and *Roger L. Stevens*
- *James S. Lanigan*, Executive Director

Planning Consultant

- *Carl Feiss*, FAIA, master urban planner, and pioneer of urban preservation

Housing Consultant

- *Nathaniel S. Keith*

Civil Engineer

- *Joseph E. Spink*

Structural Engineer

- *William B. Gilbert*
Gilbert —Forsberg —Diekman —Schmidt

Mechanical Engineers

- *G.I. Gendler & Associates*

General Contractors

- Lawrence Construction Co.
Carl Lawrence, owner; Dean Jacobs, engineer in charge; Gerald Cherrnoff, manager
- Campbell Construction Co.
William A. Campbell, Ray O. Mackey, John Liddicoat, George T. Gibson
- Erickson Construction Co.
Frank Erickson, president; Harry Erickson, treasurer; Auburn Erickson, secretary; Lynn J. Fletch, general manager
- Western Enterprises, Inc.
Sheldon Parker, Weldon B. Mansfield

Fact Sheet: Architectural History of Capitol Tower and Garden Apartments

PHASE TWO: The Tower - 1962 to 1965: FHA Project No. 136-32003-R

Architects

- Domestic Structures, Inc.
- William W. Wurster, Theodore C. Bernardi, and Donn Emmons
- Vernon A. DeMars and Donald Reay in association with Karl Treffinger

Consultants

- Landscape: Lawrence Halprin
- Structural: Gilbert-Forsberg-Diekman-Schmidt
- Mechanical: G.L. Gendler and Associates
- Site Utilities: Spink Engineering
- Soil Engineering: Reinard W. Brandley

Contractor

Barrett Construction Co.



Photo by Sirlin Studios



April 24, 2014

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Dear Mr. Johnson:

Thank you for inviting SACOG's comments on the Notice of Preparation for the Sacramento Commons project (P14-012). The project is located within the Central City Center/Corridor Community designation of SACOG's 2012 Metropolitan Transportation Plan/Sustainable Communities Strategy (2012 MTP/SCS). The Central City area is identified for significant mixed-use infill and redevelopment in the 2012 MTP/SCS and SACOG's longer-term Blueprint vision. The 2012 MTP/SCS projects 54,000 new jobs and 27,000 new housing units by 2035 for the Central City area. SACOG has begun its quadrennial update of the plan (scheduled adoption in 2016) and will be working with the city of Sacramento to determine if there is a need to update the projects for this area for the next MTP/SCS.

The 2012 MTP/SCS includes funding for a new streetcar and light rail improvements within the downtown area, as well as a number of maintenance, operational, and streetscape projects. The plan does not currently include any new road capacity within the downtown area. However, the plan does provide funding for a number of freeway and bridge improvements connecting downtown to adjacent communities and the state highway system. For information on the full, current MTIP and MTP/SCS project list, contact Clint Holtzen at (916) 340-6246 or choltzen@sacog.org.

If you have any additional questions, please feel free to contact me or Kacey Lizon, MTP/SCS Manager at klizon@sacog.org or (916) 340-6265.

Sincerely,

Mike McKeever
Chief Executive Officer

Scott Johnson

From: Chris Pair <CPair@sacrt.com>
Sent: Wednesday, May 07, 2014 2:04 PM
To: Scott Johnson
Cc: Traci Canfield
Subject: Sacramento Commons NOP, P14-012
Attachments: Sac Commons 050614.pdf

Scott,

RT's only comment/condition for this project at this time is that:

1. Project construction shall not disrupt transit service or pedestrian access to transit stops or light rail station.

I've also attached RT's response to the most current application to the City of Sacramento for this project for your use/information.

Thank you for the opportunity to comment. Please send any subsequent documents and hearing notices that pertain to this project as they become available. If you have further questions regarding these recommendations, please contact me at (916) 556-0514 or cpair@sacrt.com.

Chris Pair
Assistant Planner
Sacramento Regional Transit
Planning Dept
Phone (916) 556-0514
Fax (916) 456-1752



Regional Transit

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(916) 321-2800
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Light Rail Office:

2700 Academy Way
Sacramento, CA 95815
(916) 648-8400

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May 6, 2014

Scot Mende, AICP
Principal Planner
City of Sacramento, Planning Division
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

NAME OF DEVELOPMENT: Sacramento Commons
CONTROL NUMBER: P14-012
TYPE OF DOCUMENT: Tentative Map, Development Agreement, PUD Establishment, Site Plan Design and Review

The Sacramento Commons project is a 10 acre, four block infill site in Sacramento's Central Business District that is being planned as an urban residential, mixed-use community. The transit-oriented project is surrounded by 5th and 7th Streets and N and P Streets in downtown Sacramento and has access to several bus stops on the project site as well as a light rail station within 600 feet of the site.

Regional Transit (RT) staff has reviewed the proposed project and has the following comments:

Conditions:

1. Project construction shall not disrupt transit service or pedestrian access to transit stops or light rail station.
2. Contact Robert Hendrix, RT Facilities (916) 869-8606 to determine if bus stops serving the site require shelter pads, accessibility upgrades, or expanded amenities to meet future demand at this site. If determined appropriate (by RT) provide a bus shelter pad, accessibility upgrades and/ or bus stop amenities as directed.
3. Transit information shall be displayed in a prominent location in the residential sales/rental office, through a homeowner's association, or with real estate transactions. Please use the Request Form available on www.sacrt.com to order transit information materials.
4. Transit information shall be displayed in prominent locations within the business for both patrons and employees. Please use the

May 6, 2014

Request Form available on www.sacrt.com to order transit information materials.

5. The property/business owners shall join the Sacramento Transportation Management Association.

Recommendations:

- Develop a program to offer transit passes at a 50% or greater discount to new homeowners for a period of six months or more. Program shall be reviewed and approved by RT prior to approval of any special permit for the project.
- Employers should offer employees subsidized transit passes at 50% or greater discount.

Thank you for the opportunity to comment. Please send any subsequent documents and hearing notices that pertain to this project as they become available. If you have further questions regarding these recommendations, please contact me at (916) 556-0514 or cpair@sacrt.com.

Sincerely,



Chris Pair
Assistant Planner

- c: RoseMary Covington, AGM of Planning and Transit System Development, RT
Jeff Damon, Principal Planner, RT
Traci Canfield, Planner, RT
Robert Hendrix, Facilities Supervisor, RT

May 12, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department,
300 Richards Blvd., Third Floor, Sacramento, California 95811
Email: srjohnson@cityofsacramento.org

Re: Comments on the Sacramento Commons Project (P14-012) Notice of Preparation

Dear Mr. Johnson,

The Sacramento Housing Alliance has been working in the community for 25 years to ensure that low-income Sacramentans have sufficient access to safe, decent, accessible, affordable housing choices and live in healthy, equitable communities.

The current plan for the Sacramento Commons project leaves out an important segment of our population: low-income workers and their families. With the changing economic demographics of Sacramento, nearly 50 percent of our households are considered low-income. In order for Sacramento to be a diverse, equitable, sustainable place to live, we must create mixed-income communities that include regulated affordable housing. Such neighborhoods provide opportunities for upward mobility for low-income children and pose no negative consequences to higher-income groups.

For us to truly realize the goals of the SACOG Sustainable Communities Strategy in Sacramento, the Sacramento Commons plan must include affordable units that actually house low-income residents. The project intends to provide a “variety of housing types meeting the needs of a broad segment of the population” yet the current Mixed Income Housing Ordinance would not apply to this project. Neither would the proposed draft of the Ordinance, which exempts development with 40+ units per acre. We have serious reservations about this. **Density is not a substitute for affordability, and density alone does not ensure affordability for households of various incomes.** Omitting **regulated** affordable units from the project will have severe impacts in terms of greenhouse gas emissions and social equity.

While living in transit-oriented development (TOD) homes increases transit ridership among people of all incomes, low-income people demonstrate the highest transit ridership in TOD neighborhoods in California’s four largest metro areas, including Sacramento. Workers living in transit-accessible neighborhoods and earning less than \$25,000 a year take transit, walk, or bike

to work at much higher rates than higher earners who also live in those neighborhoods.¹ New homes near transit, services and jobs best reduce greenhouse gases when they are affordable.

Transit areas such as the proposed project site tend to gentrify, pushing out long-time, lower-income residents who can no longer afford to live there. Proximity to transit is linked to increasing property values and rents, typically 10-20 percent above similar rental buildings that are further from transit.² Lower income residents who use transit at a higher rate than the general population are replaced by higher income households who tend to continue to own cars when they move into transit-oriented development. The benefits of improved access to transit will decrease overall in neighborhoods if existing residents with low vehicle ownership are displaced. We cannot afford to displace lower income residents as transit-rich locations become more expensive to live in.

We hope to see the Sacramento Commons project to meet the goals set forth within the Sustainable Communities Strategy—including to build communities for residents of all income levels, including low-income workers and their families. Adding an **affordability component** will help ensure that this project suits Sacramento’s diverse population and reduce greenhouse gas emissions as much as possible, creating a equitable, affordable, and accessible downtown Sacramento for generations to come.

Please feel free to contact me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read 'Darryl Rutherford', with a stylized, flowing script.

Darryl Rutherford, Executive Director
Sacramento Housing Alliance
1800 21st St, Suite 100
Sacramento, CA 95811

¹ California Housing partnership Corporation. (2013). “Building and Preserving Affordable Homes Near Transit: Affordable TOD as a Greenhouse Gas Reduction Strategy.”

² Ibid.

May 6, 2014

Scot Mende & Scott Johnson
300 Richards Blvd, 3rd Floor
Sacramento, CA 95814
smende@cityofsacramento.org; srjohnson@cityofsacramento.org

RE: Sacramento Commons (P14-012; SAC201101398)

Messrs. Mende & Johnson,

The Sacramento Metropolitan Air Quality Management District (The District) has received routing packet and notice of preparation of a sustainable communities environmental assessment for the project Sacramento Commons, located in the superblock bounded by Streets N, 7th, P, and 5th, within the Central City of Sacramento. The following comments are offered to ensure that air impacts are adequately addressed and to allow unique mitigating features to be considered as early as possible in the review process:

Air Quality Mitigation Plan

The project may exceed emission thresholds during construction and operation of the project. We recommend using CalEEMod and District protocols (i) to determine if the project will exceed the thresholds of significance and, if it does (ii) to develop Air Quality Mitigation Plans for District verification.¹

Support for Sustainable Transportation Modes

Located in the Central City, the project is well positioned to incorporate neighborhood electric vehicles, as well as other plug-in vehicles, into the project design. Accordingly, the City may wish to address this need by requiring the project to include ample vehicle electric charging facilities (or adequate wiring for future facilities) within parking lots and garages on-site.²

¹ General Plan Policy ER 6.1.3 – Emission Reductions: The City shall require development projects that exceed SQAQMD ROG and NO_x operational thresholds to incorporate design or operational features that reduce emissions equal to 15 percent from the level that would be produced by an unmitigated project. (RDR)

² General Plan Policy ER 6.1.14 – Zero-Emission and Low-Emission Vehicle Use: The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles. (RDR/PI)

With transit, shopping, and employment located nearby, many residents may wish to avoid the burden of owning an automobile. To facilitate no- and low-car households, we recommend looking at unbundling parking costs from living units³, having an on-site or adjacent car-share service.⁴ The City should also look for ways to integrate an onsite or adjacent bike share station in the event the Sacramento-area bike-share program is launched⁵.

To ensure the residents, employees and visitors of the project will have full opportunity to utilize the sustainable transportation modes available in the area, we also recommend that the project join, through a non-revocable funding mechanism, the Sacramento Transportation Management Association.⁶

Public Access Paseos

If feasible, the project should also include public access easements on the paseos to create a continuous bicycle and pedestrian network to allow free travel free of impediments and obstacles⁷ and to re-establish the central city grid by reconnecting 6th Street and O Street⁸. Examples of signage are attached that would help make clear to the public that these are public spaces and that travel through them is allowed and encouraged (Attachment 1).

General Comments

All projects are subject to District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling (916) 874-4800. The District thanks the City of Sacramento for the opportunity to comment on this project. Please notify me of any public hearings, community meetings, response to comments, release of environmental documents, or other events concerning the

³ General Plan Policy M 6.1.8 – Separate Parking Costs: The City shall provide incentives for projects that separate the cost of parking from lease payments. (RDR)

⁴ General Plan Policy ER 6.1.14 – Zero-Emission and Low-Emission Vehicle Use: The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles. (RDR/PI)

⁵ General Plan Policy M 5.1.14 – Encourage bicycle Use: The City shall encourage bicycle use in all neighborhoods, especially where short trips are most common. (PI)

⁶ General Plan Policy M 1.4.3 – Transportation Management Associations: The City shall encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations. (JP/PI)

⁷ General Plan Policy M 2.1.5 – Continuous Network: The City shall provide a continuous pedestrian network in existing and new neighborhoods that facilitates convenient pedestrian travel free of major impediments and obstacles. (MPSP)

⁸ General Plan Policy M 1.3.1 - Grid Network. The City shall require all new residential, commercial, or mixed-use development that proposes or is required to construct or extend streets to develop a transportation network that provides for a well-connected, walkable community, preferably as a grid or modified grid. (RDR)

project. If you have additional questions or require further assistance, please contact me at pphilley@airquality.org or (916) 874-4882.

Sincerely,



Paul Philley, AICP
Sacramento Metropolitan Air Quality Management District
777 12th Street, 3rd Floor
Sacramento, CA 95814

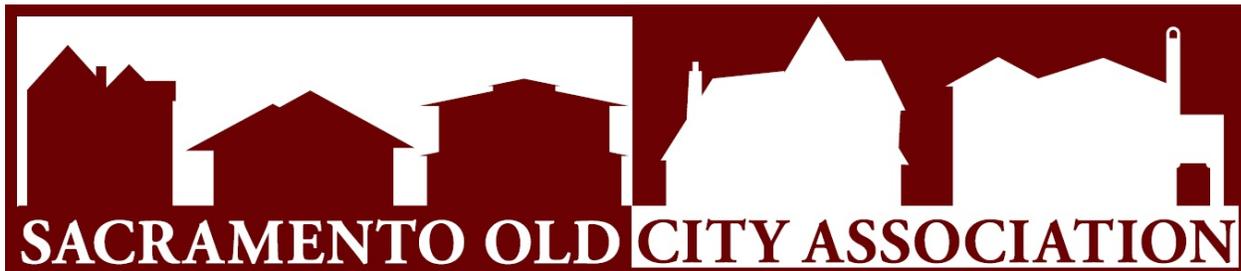
Attachment 1: Public Access through Private Projects

Draft

Attachment 1: Public Access through Private Projects

Davis Bike Loop passing through J Street Apartments
J Street at Drexel Drive, Davis, CA





Sacramento Old City Association - PO Box 162140, Sacramento CA 95816 – (916)202-4815 – info@sacoldcity.org

May 10, 2014

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95881

Re: Sacramento Commons Project (P14-12)

Dear Mr. Johnson

Thank-you for the opportunity to comment on the Notice of Preparation for the Sacramento Commons Project.

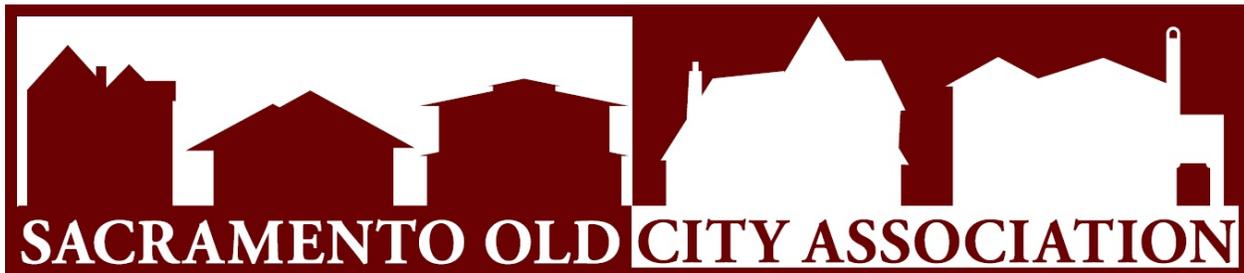
We want to begin by stating that we believe SacMod is correct in saying that the appropriate level of environmental assessment for this project is an Environmental Impact Report (EIR) rather than a Sustainable Communities Environmental Assessment (SCEA) as is currently proposed. We agree with their assessment for two reasons:

First, the historic significance of the existing buildings and landscaping on the site is such that it requires a full environmental analysis including a serious look at alternatives to demolition.

Second, the SCEA process was created in order to facilitate infill construction on small, generally blighted or vacant urban sites. In this case the use of the SCEA is being justified on the grounds that the Commons Project is a Transit Priority Project (TPP), meaning that it is a project located within a half mile of public transit and will have at least fifty percent housing at a minimum of 20 dwelling units per acre. The existing development is not blighted and already meets those criteria. The demolition of a large portion of an existing, potentially historic, TPP in order to build another TPP raises a number of questions about impacts and alternatives. These impacts and alternatives should be dealt with through the full EIR process.

Whatever the form of environmental evaluation used, the following impacts must be addressed:

__The impact of destroying an existing development that is potentially eligible for listing as both a City historic district and as a National Register district. The existing development, constructed between 1958 and 1965, was designed by a prominent group of mid-century modern architectural firms including Wurster, Bernardi and Emmons, Edward Larrabee Barnes and DeMars and Reay, with landscape design by prominent landscape architect Laurence Halpern. The development., which received the Governor's Design Award in 1966, is potentially significant in terms of its buildings, its overall layout and



Sacramento Old City Association - PO Box 162140, Sacramento CA 95816 – (916)202-4815 – info@sacoldcity.org
landscaping, and the major role it played in redevelopment of Sacramento that took place in the 1950's and 60's.

__The impacts of the loss of a large number of mature trees (some of which meet the City's definition of Heritage Trees) that are currently a prominent part of the landscape of the site. Trees play a vital role in reducing heat island effect in cities, absorbing carbon dioxide, helping to clean the air and absorb particulate matter, providing habitat for birds and other wildlife and providing beauty and relief from the starkness of the built environment. Analysis of the loss of the trees must include all of these impacts. It must also include impacts on birds, including raptors, and other wildlife.

__The impact that the proposed new high rise and mid-rise buildings will have in terms of light and shadows cast on adjacent residential buildings.

__The impact that the proposed new high rise and mid-rise buildings will have on localized wind and other micro-climate conditions.

__The impact of building only market rate housing when the City has a great need for projects that include an affordable housing component. While not technically 'affordable housing' the garden apartments (which the Commons Project has slated for demolition) have been renting for amounts significantly lower than rents for new, market rate apartment housing.

__The impact that the loss of the open space that currently exists at the site will have on the quality of life of residents in the areas that surrounds it. This is important because there is limited open space in the Central City and, while the open space at the site is private property, it is currently open to the public and many residents of adjacent buildings use it as park space.

__The impact of the loss of embodied energy and materials that will result from the demolition of the existing 'garden apartments' on the site and the increase in greenhouse gas emissions that will result from both their demolition and the construction of new buildings. This is especially important in light of the fact this is a developed site that currently has 409 dwelling units and already meets the density requirements of a TPP.

Thank you again for this opportunity to comment.

Sincerely,

Karen Jacques, Preservation Chair
Sacramento Old City Association



April 10, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Subject: Notice of Preparation of an Environmental Assessment for the Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

Regional San (SRCSD) has the following comments regarding the Notice of Preparation for the Sacramento Commons Project:

SRCSD is not a land-use authority. Projects identified within SRCSD planning documents are based on growth projections provided by land-use authorities. Sewer studies, including points of connection and phasing information will need to be completed to fully assess the impacts of any project that has the potential to increase existing or future flow demands. Onsite and offsite impacts associated with constructing sanitary sewers facilities to provide service to the subject project should be included in this environmental assessment.

Customers receiving service from SRCSD are responsible for rates and fees outlined within the latest SRCSD ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer and treatment facilities that serves new customers. The SRCSD ordinance is located on the SRCSD website at <http://www.srcsd.com/ordinances.php>.

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via Sump 2/2A and the SRCSD City Interceptor system. Cumulative impacts of the proposed project will need to be quantified by the project proponents to ensure wet and dry weather capacity limitations within Sump 2/2A and the City Interceptor system are not exceeded.

On March 13, 2013, SRCSD approved the Wastewater Operating Agreement between the Sacramento Regional County Sanitation District and the City of Sacramento. The following flow limitations are outlined in this agreement:

Main Office

10060 Goethe Road
Sacramento, CA 95827-3553
Tel: 916.876.6000
Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
Elk Grove, CA 95758-9550
Tel: 916.875.9000
Fax: 916.875.9068

Board of Directors

Representing:

- County of Sacramento
- County of Yolo
- City of Citrus Heights
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- City of Rancho Cordova
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- City of West Sacramento

Prabhakar Somavarapu
District Engineer

Ruben Robles
Director of Operations

Christoph Dobson
Director of Policy & Planning

Karen Stoyanowski
Director of Internal Services

Joseph Maestretti
Chief Financial Officer

Claudia Goss
Public Affairs Manager

www.srcsd.com

<i>Service Area</i>	<i>Flow Rate (MGD)</i>
<i>Combined Flows from Sump 2 and Sump 2A</i>	<i>60</i>
<i>Combined flows from Sumps 2, 2A, 21, 55, and 119</i>	<i>98</i>
<i>Total to City Interceptor of combined flows from Sumps 2, 2A, 21, 55, 119, and five trunk connections</i>	<i>108.5</i>

If you have any questions regarding these comments, please contact me at 916-876-9994

Sincerely,



Sarena Moore
SRCSD/SASD
Policy and Planning

Cc: SRCSD Development Services, SASD Development Services, Michael Meyer, Dave Ocenosak, Christoph Dobson

Scott Johnson

From: tleung@juno.com
Sent: Sunday, April 20, 2014 2:48 PM
To: Scott Johnson
Subject: Comments Re: Sacramento Commons (P14-012)

Dear Mr. Johnson:

Please find below my comments regarding the Sacramento Commons project, which was previously sent to the addressees listed herein. Thank you in advance for your consideration.

Regards,
Tommy Leung

----- Forwarded Message -----

From: <tleung@juno.com>
To: burchillcitypc@gmail.com, jparrinello08@comcast.net, pharveycitypc@aol.com, othermeeta@gmail.com, ALofaso@sbcglobal.net, phyllis@phyllisnewton.com, dnybo@wateridge.net, kimjoanmc@att.net, todd.s.kaufman@gmail.com, sacplanning_declines@me.com, dcovill@cbnorcal.com, ed@loftgardens.com, tr5753@att.com, MFernandez@cityofsacramento.org, DKwong@cityofsacramento.org, smende@cityofsacramento.org, JFShirey@cityofsacramento.org
Cc: jschenirer@cityofsacramento.org, aashby@cityofsacramento.org, bpannell@cityofsacramento.org, kmccarty@cityofsacramento.org, dfong@cityofsacramento.org, awarren@cityofsacramento.org, scohn@cityofsacramento.org, shansen@cityofsacramento.org
Date: Fri, 21 Feb 2014 23:14:50 -0800
Subject: Sacramento Commons Project

TO: Honorable Sacramento City Planning Commissioners,
Community Development Director Max Fernandez,
Planning Director David Kwong,
Senior Planner Scott Mende
City Manager John Shirey

This is a follow-up to correspondence previously sent to you by Julie Mumma, Judith Lamare, and James Pachl regarding the proposed Kennedy-Wilson (K-W) project slated for the Superblock (bounded by N and P Streets to the north and south, respectively, and 5th and 7th Streets to the west and east, respectively). While I agree with the points made in those letters and incorporate them by reference herein, the purpose of this contact is not to reiterate same but to raise health and safety concerns ignored by K-W.

Over 10 years ago, in *Barden v. City of Sacramento*, 292 F.3d 1073 (9th Cir. 2002), Sacramento was the defendant in a class action lawsuit brought by concerned citizens with disabilities under the ADA. In summary, the Ninth Circuit Court of Appeals rejected Sacramento's claim that the city was not responsible for making its sidewalks accessible under the ADA and the Rehab Act. The U.S. Supreme Court declined to hear the City's appeal, and a 30-year settlement agreement was entered into between the parties under which Sacramento is obligated to, among other things, remove access barriers from city sidewalks. As I will outline below, the K-W project could breach the spirit, if not the letter, of that settlement and the court's decision.

I am blind, and it is a challenge for me to walk around this Superblock during my daily commute to work. Obstacles and obstructions, such as uneven sidewalks and impatient motorists who straddle the sidewalk while exiting driveways are particularly hazardous. Fortunately, the current volume of these hazards are manageable, but if the K-W project is approved, then things will get drastically worse.

Currently, there are 2 driveways plus the 6th Street easement on N Street, 1 driveway plus the O Street easement on 7th Street, 1 driveway and the O Street easement on 5th Street, and approximately 1 driveway plus the 6th Street easement on P Street. K-W's project will increase, exponentially, the number of vehicles exiting/entering this Superblock, and with the addition of 5 buildings (2 of which are 22-story towers) and a 22-story hotel it would not be surprising if new driveways are created for each of these structures. The hotel can be expected to have a circular driveway for guest drop offs and pick up, along with a taxi stand. In addition, N and P Streets can expect to carry the brunt of the J/L Street traffic overflow because of the new arena. Furthermore, light rail travels down 7th and 8th Streets, traversing N Street (regularly at 8-minute intervals), adding yet another traffic bottleneck. Put together, one can expect to see bumper to bumper traffic on the streets that circumscribe the Superblock on a regular basis, with vehicles attempting to depart/enter the community.

The 32-inch minimum sidewalk space mandated by the *Barden* settlement will be a pipedream as cars trying to leave the Superblock and merge into traffic will tail-gate each other, straddling the sidewalk, thereby impeding the progress of pedestrians. Pedestrians with mobility and vision issues will find it very difficult and dangerous to get around these cars, assuming there is enough space between the cars on the sidewalk pavement. If the K-W project adds more driveways, there will be more sidewalk barriers; if K-W does not add more driveways, then the pedestrian wait will be unreasonably prolonged. Moreover, the 6th Street and O Street easements might be used as methods of ingress and egress for the new buildings, thus eliminating safe walking paths into the Superblock community for pedestrians. Unfortunately, this is the "best" case scenario.

The worst case scenario is a repeat of the SACA (Twin Towers) debacle on Capitol Mall. As typical for much Sacramento construction projects, barriers will be erected blocking off sidewalk access, thereby forcing pedestrians to either the gutter or the street. Normally, responsible city officials would require construction companies to erect scaffolding over existing sidewalks that leaves the sidewalk unimpeded while protecting pedestrians from debris, but this does not appear to be the practice in Sacramento. Instead, pedestrians are forced to cross already clogged streets to use the sidewalk on the opposite side, and then double back across the same street to get back on track; each additional street crossing multiplies the risk of vehicular /pedestrian accidents, especially for those pedestrians with visual and mobility difficulties. Existing major bus stops at 7th and O Streets, and 5th and P Streets would be eliminated, forcing those who rely on public transit as their only mode of transportation to face additional traffic hazards as they will need to travel further to access alternatives. More to the point, if the K-W project fails, a la SACA, these sidewalk obstructions will become permanent barriers. Abandoned construction debris will be scattered about, and the sidewalks surrounding the Superblock

will be in disrepair. Project failure also invites crime – drugs, prostitution, vagrancy, etc. – as well as vermin, presenting more barriers for all pedestrians. Clearly, if history teaches us anything, the K-W project can transform this highly successful Superblock from an urban delight to urban blight.

Therefore, the K-W project, regardless of success or failure, poses substantial harm to Sacramento residents protected by the ADA. The barriers and obstacles that will be created by the K-W project will impede access to Sacramento's sidewalks resulting in a violation of the *Barden* settlement and decision, which is less than halfway through its 30-year term. The *Barden* settlement and decision requires Sacramento to eliminate barriers to access, but your approval of the K-W project will instead erect barriers to access. Hence, it is respectfully requested that your approval for the K-W project be withheld. There are numerous sites in Sacramento that are currently blighted and can benefit from this type of project; the Superblock is not one of them.

Tommy Leung

Bridgeway Towers

Old School Yearbook Pics

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classmates.com

UNITE HERE



1796 Tribute Road, Suite 200 • Sacramento, California 95815
Telephone (916) 564-4949 • FAX (916) 564-4950

May 12, 2014

Mr. Scott Johnson
Associate Planner
City of Sacramento
Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Dear Mr. Johnson:

UNITE HERE Local 49 is hereby submitting comments on the Notice of Preparation for a Sustainable Communities Environmental Assessment for the Sacramento Commons Project (P14-012). Local 49 is the hospitality workers' union in the Sacramento region and represents approximately 3,000 hotel, casino, and food-service workers in Sacramento and the surrounding area. Given that the Sacramento Commons project may include a 320-room hotel, we are particularly interested in its potential positive and/or negative impacts on working conditions, the region's hospitality market, and quality of life for workers, neighbors, and other residents. Besides being hospitality workers, our members are residents of the Sacramento area, and many of them live, shop, and/or work in downtown Sacramento, very close to the proposed project. As such, we are also concerned with the wide-ranging environmental impacts this project may have, including potential effects on the availability of public services for current and future hospitality workers.

The Notice of Preparation is identified in its heading as being "for a Sustainable Communities Environmental Assessment for the Sacramento Commons Project." However, the Introduction of the NOP states that "the City as the Lead Agency is issuing a Notice of Preparation (NOP) to inform all responsible agencies of the decision to prepare an initial study in support of an anticipated SCEA." It is not clear whether, pending the results of the initial study, the City is planning to issue another NOP for the SCEA itself. It is Local 49's position that, should the City determine through the initial study that an SCEA is appropriate, the completed initial study should be circulated along with another NOP, so that responsible agencies and the public may have the opportunity to comment on the City's decision that an SCEA should be prepared for the project. According to Public Resources Code § 21155.2(b), an SCEA must "contain measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the initial study" and may only be approved if the Lead Agency finds that such measures have been required or incorporated into the project, or that such measures are within the jurisdiction of another public agency and have been or can be required by that agency. As such, if the initial study determines that the project could have significant environmental impacts that may be impossible or infeasible to mitigate to levels of insignificance, an EIR should be prepared instead.

Furthermore, regardless of the results of the initial study, we believe that this project does not qualify for an SCEA under the requirements of PRC § 21155. While the project description in the NOP appears to indicate that the project would meet the three criteria in the definition of a Transit Priority Project (TPP), PRC § 21155 indicates that a TPP is only eligible for the streamlined review described in that section if it “is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area” in the applicable sustainable communities strategy, which in this case is the SACOG MTP/SCS for 2035, adopted in 2012. Consistency with the MTP/SCS is based on consistency with the applicable land use plan, which in this case is the City of Sacramento General Plan. While the proposed uses are consistent with the uses designated for the project location in the General Plan, in order for the project to be consistent with the MTP/SCS with respect to density and building intensity, the proposed uses must be at least 80% of the allowed density or intensity as specified in the General Plan.¹ For the project area (designated as Central Business District by the General Plan), the maximum density allowed by the General Plan is 450 dwelling units per acre, and the maximum allowed floor-area ratio (FAR) is 15. The proposed project would have a density of 140-150 units per acre and an FAR of about 3.5, both of which are well below 80% of what is allowed. Thus, the proposed project is eligible neither for an SCEA nor for the limited EIR described in PRC § 21155.2(c). It should be noted that one reason that the proposed project’s density and intensity are too low to be consistent with the MTP/SCS is that a great deal of the project area is dedicated to two large parking garages, which arguably defeat the purpose of a TPP.

As noted above, in order to be eligible for streamlined review, a TPP must also be consistent with “applicable polices specified for the project area” by the MTP/SCS. Policy number 4 identified in Chapter 6 of the MTP/SCS is that “SACOG encourages every local jurisdiction’s efforts to facilitate development of housing in all price ranges, to meet the housing needs of the local workforce and population, including low-income residents, and forestall pressure for long external trips to work and essential services.” While the draft PUD for Sacramento Commons claims that the project would “provide diverse housing types, styles, and arrangements for a variety of people, incomes, and needs,” it contains no explanation of how much workforce and affordable housing it would provide, and whether or not it would provide housing at below market rates. Similarly, there is no indication of whether the project will result in a net gain or net loss of affordable housing, given the proposed demolition of 206 residential units. In order to determine whether or not this project would be consistent with this MTP/SCS policy, the initial study should estimate the cost of the proposed housing units, compared to the rental costs of the units that are proposed to be demolished.

Policies 8 and 9 in the MTP/SCS call for strategies to reduce greenhouse gas and other vehicle emissions. The project proposes to add up to 1,788 parking spaces (more than the number of residential units), whereas the Planning and Development Code has no minimum parking

¹ See Appendix E-3 of the MTP/SCS and SACOG’s “Determination of MTP/SCS Consistency Worksheet for Qualifying Transit Priority Projects and Residential/Mixed-Use Residential Projects.” These documents also allow for a project to be judged consistent with the MTP/SCS according to alternative density and intensity figures provided by Appendix E-3, but Appendix E-3 provides no such alternative figures for Sacramento’s central city Center and Corridor Community, where the proposed project is located.

requirements for the proposed uses in the applicable parking district. In order to determine whether or not the project is consistent with these policies, the initial study should consider whether the proposed number of parking spaces may reduce the project's effectiveness in encouraging transit use, walking, bicycling, and other non-automobile transportation.

For the reasons described above, we believe that the proposed project should be subject to a full Environmental Impact Report. We believe the project is likely to have significant impacts with respect to aesthetics, greenhouse gas emissions, land use and land use planning, population and housing, transportation and traffic, cultural resources, public services, utilities and service systems, air quality, noise, and possibly others. In particular, with respect to cultural resources, the proposed demolition of the low-rise garden apartment units at the site may constitute a very significant, unmitigatable impact on Sacramento's architectural heritage. Furthermore, employment at the proposed hotel may have significant effects on traffic and transportation as well as demand for various public services provided by the State, City, and County. The hotel portion of the project is also likely to have particular impacts on health and safety (including occupational health and safety of their employees) and on traffic circulation due to guest arrivals and departures, employee arrivals and departures, and service and deliveries. All of these factors should be carefully considered by the initial study and, we believe, ultimately analyzed thoroughly by means of an EIR.

Thank you for your attention to these issues. Please include us in all future communications about this project. I am the contact person for the organization, and I can be reached at the above mailing address, by email at thudson@unitehere.org, or by cell phone at 213-509-9114.

Sincerely,

A handwritten signature in black ink that reads "Taylor Hudson". The signature is written in a cursive, flowing style.

Taylor Hudson
Research Analyst

DATE: August 6, 2014

TO: Interested Persons

FROM: Scott Johnson, Associate Planner
Community Development Department

RE: **NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR
THE SACRAMENTO COMMONS PROJECT (P14-012) (SCH#2014042032)**

COMMENT PERIOD

August 6, 2014 to September 5, 2014

SCOPING MEETING

**August 27, 2014
Sacramento City Hall, 915 I Street, Room 1119,**

INTRODUCTION

The City of Sacramento ("City") is the Lead Agency for preparation of Environmental Impact Report for the Sacramento Commons project, P14-012 (proposed project or project) pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code (PRC) section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). The environmental review to be prepared by the City will evaluate potential significant environmental effects of the project required by CEQA. Written comments regarding the issues that should be covered in the EIR, including potential alternatives to the project and the scope of the analysis, are invited.

The project is a residential mixed-use project proposed on an approximately 10-acre site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP) as defined in Public Resources Code section 21155(b). As a TPP, the project may be reviewed by an environmental impact report (EIR) pursuant to California Public Resources Code section 21155.2. Pursuant to California Public Resources Code section 21155.2(c)(1), an initial study is prepared to identify significant or potentially significant impacts of the TPP.

The City as the Lead Agency is issuing a Notice of Preparation (NOP) to inform all responsible agencies of the decision to prepare an EIR. The purpose of the NOP is to provide information describing the project and its potential environmental effects and to seek input from responsible agencies as defined by CEQA (PRC Section 21069) and the public. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project. The full NOP is available at the City's Community Development Department webpage at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

PROJECT LOCATION

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. The project site is generally bounded by 5th, 7th, N, and P Streets and consists of Assessor's Parcel Numbers (APN): 006-0300-002, 006-0300-003, and 006-0300-004.

PROJECT DESCRIPTION

The project includes high-rise and mid-rise apartments and condominiums, with opportunities for live-work and neighborhood-serving retail and support services for community residents and guests. Modern community amenities, pedestrian promenades, rooftop open space areas, and a potential hotel (described below) are other planned features of the community.

The project site currently includes 409 dwelling units including 203 dwelling units in the Capitol Towers high-rise and 206 units in two- and three- story garden apartments. Upon completion of the proposed project, the project site would include approximately 1,400-1,500 dwelling units. This total includes the existing 203 unit Capitol Towers high-rise, which is proposed to be retained and potentially renovated. The 206 garden apartment units are proposed to be removed. In total, upon completion of all phases of the proposed project, the project would result in a net increase of approximately 1,000 -1,100 dwelling units on the project site. The proposed project would also include new parking structures with up to 1,778 spaces to serve uses on-site, approximately 65,000–69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space.

The existing 15-story Capitol Tower building, containing 203 dwelling units, would remain an integral part of the Sacramento Commons community. Improvements to Capitol Tower could include interior modifications to reconfigure apartments, senior living facilities, or condominiums. The building's exterior would likely undergo a makeover to ensure overall architectural compatibility with Sacramento Commons.

Two potential development options are proposed for the project parcel near the corner of N and 7th streets. Option 1 is planned as a 22-story mixed-use high-rise hotel and residential condominium development that would include a lobby area, restaurant, hotel meeting spaces, and retail and other supporting uses on floors 1 and 2; hotel rooms on floors 3 through 11; and condominium units on floors 12–22. Option 2 proposes an all condominium alternative, with ground floor retail and support uses.

Development of the proposed project is anticipated to begin in October 2015 and occur in phases to enable the project to respond to market demand. The sequence of phasing will vary for the project depending on market conditions, but it is anticipated that all phases would be commenced within five years of the first phase breaking ground. Construction of off-site and on-site infrastructure such as water, sewer, and storm drainage facilities would be necessary in the early phases of development.

SUBMITTING COMMENTS

Comments and suggestions as to the appropriate scope of analysis are invited from all interested parties. Written comments or questions concerning the proposed project should be directed to the environmental project manager at the following address on September 5, 2014 (Public counter hours are 9AM-4PM):

Scott Johnson, Associate Planner;
City of Sacramento Community Development Department;
300 Richards Blvd., 3rd Floor,
Sacramento, CA 95811;
Tele: (916) 808-5842;
E-mail: srjohnson@cityofsacramento.org.

SCOPING MEETING

A public scoping meeting will be held on Wednesday, August 27, 2014, from 5:30 p.m. to 7:00 p.m. at the following location:

City of Sacramento, City Hall, Room 1119
915 I Street
Sacramento, CA 95814

Responsible agencies and members of the public are invited to attend and provide input on the scope of the EIR. The scoping meeting will be conducted in an open house format. Written comments regarding relevant issues may be submitted at the meeting.

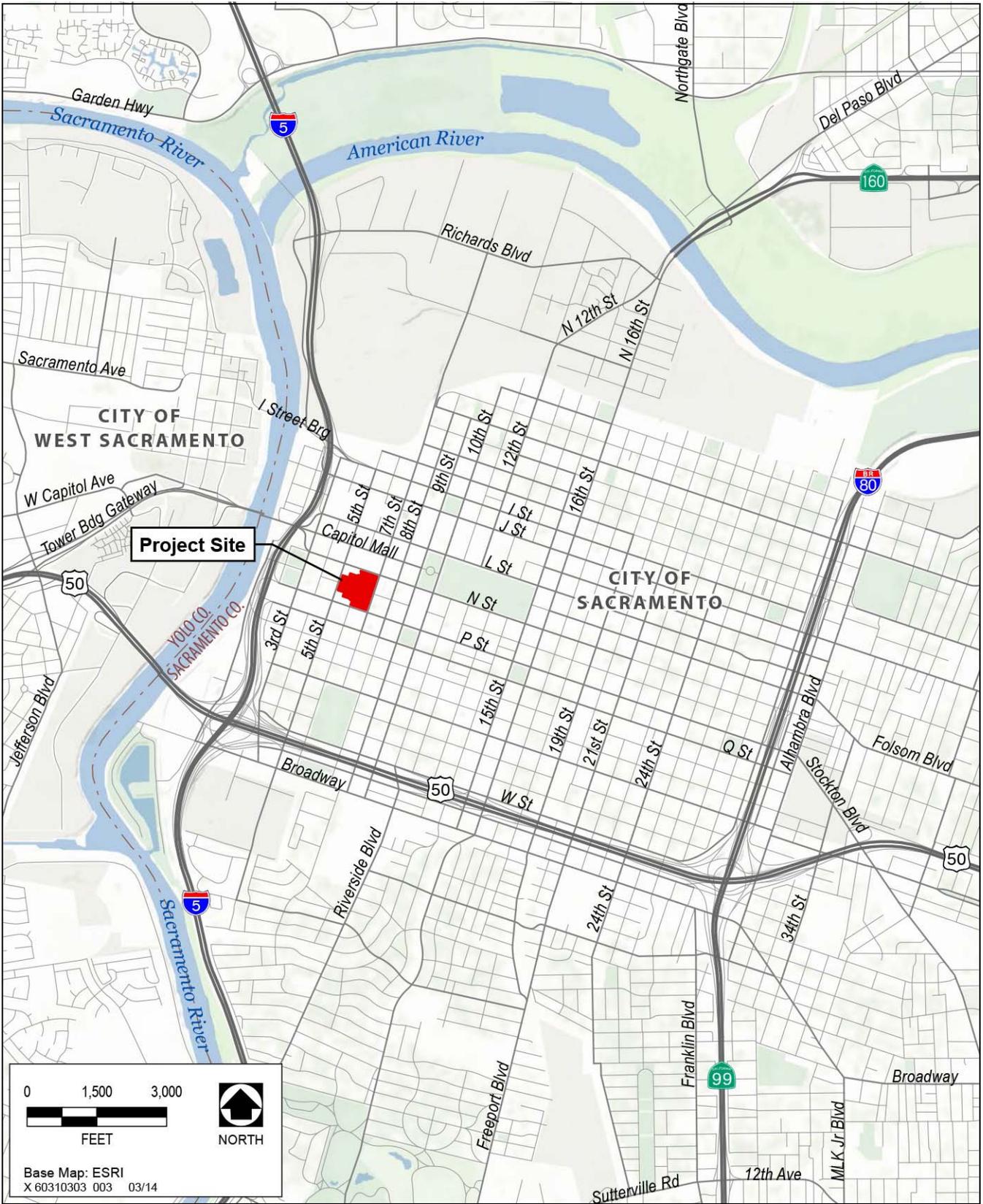


Figure 1. Regional Location

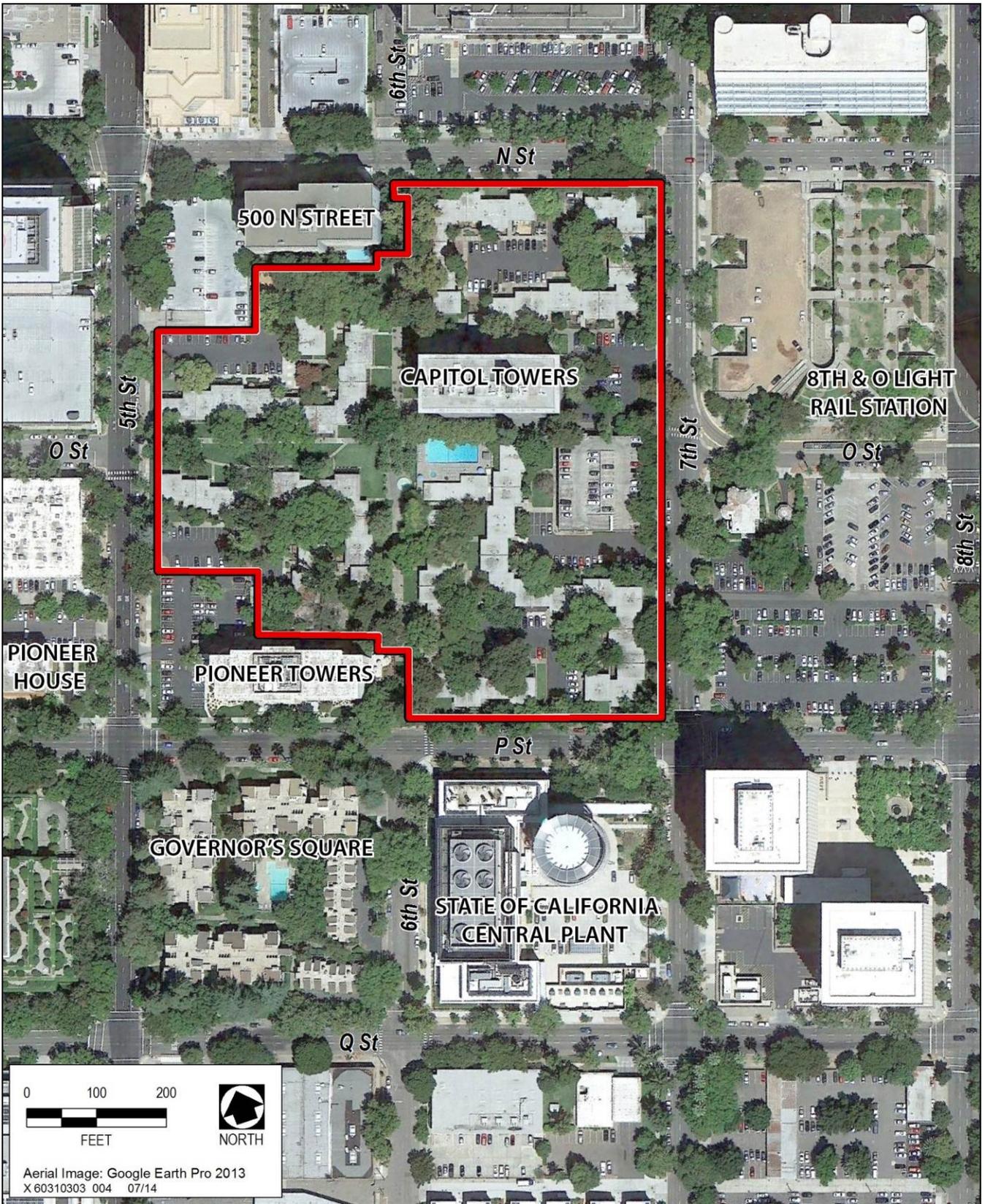


Figure 2. Project Location

APPENDIX A: LIST OF SCEA NOP COMMENT LETTERS

Agencies:

- California Department of General Services, Real Estate Division, 4-24-14
- Governor's Office of Planning & Research, State Clearinghouse, 4-10-14
- Sacramento Area Council of Governments (SACOG), 4-24-14
- Sacramento Regional Transit District (Sac RT), 5-7-14)
- Sacramento Metropolitan Air Quality Management District (SMAQMD), 5-6-14
- Regional San (Sacramento Regional County Sanitation District), 4-10-14;
- California Department of Transportation (Caltrans), 5-12-14
- Central Valley Regional Water Quality Control Board (CVRWQCB), 5-9-14

Organizations:

- Bridgeway Towers Owners' Association, 4-29-14
- Bridgeway Towers Owners' Association, 5-9-14
- California Preservation Foundation, 5-12-14
- Environmental Council of Sacramento (ECOS), 5-12-14
- Neighbors of Capitol Towers and Villas, 5-1-14
- Sacramento Area Bicycle Advocates (SABA), 5-6-14
- Sacramento Modern (SacMod), 5-6-14
- Sacramento Old City Association (SOCA), 5-10-14
- Unite Here Local 49, 5-12-14
- National Trust for Historic Preservation, 5-12-14
- Sacramento Housing Alliance (SHA), 5-12-14

Individuals/Businesses:

- Alice Bruce, 4-15-14
- Adrienne Kandel, 5-10-14
- Carr Kunze, 4-15-14
- Carr Kunze, 5-12-14
- Healon Knight, 4-16-14
- Julie Mumma, 5-11-14
- Jim Pacht, 4-25-14
- Jim Pacht, 5-8-14
- Jim Pacht, 5-12-14
- Patrick J. Wilson, 4-10-14
- Tommy Leung, 4-20-14
- Rutan & Tucker, LLP



August 8, 2014

Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

RE: SCH# 2014042032 Sacramento Commons (P14-012).

Dear Mr. Johnson:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5-minute quadrangle name, township, range, and section required**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) Guidelines §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered cultural items that are not burial associated, which are addressed in Public Resources Code (PRC) §5097.98, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, PRC §5097.98, and CEQA Guidelines §15064.5(e), address the process to be followed in the event of an accidental discovery of any human remains and associated grave goods in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gayle Totton".

Gayle Totton
Associate Government Program Analyst

CC: State Clearinghouse

**Native American Contacts
Sacramento County
August 8, 2014**

Shingle Springs Band of Miwok Indians
Hermo Olanio, Vice Chairperson
P.O. Box 1340 Miwok
Shingle , CA 95682 Maidu
holanio@ssband.org
(530) 676-8010 Office
(530) 676-8033 Fax

Buena Vista Rancheria
Rhonda Morningstar Pope, Chairperson
1418 20th Street, Suite 200 Me-Wuk / Miwok
Sacramento , CA 95811
rhonda@buenavistatribe.com
(916) 491-0011 Office
(916) 491-0012 Fax

Wilton Rancheria
Raymond Hitchcock, Chairperson
9300 W. Stockton, Suite 200 Miwok
Elk Grove , CA 95758
rhitchcock@wiltonrancheria-nsn.gov
(916) 683-6000 Office
(916) 683-6015 Fax

Ione Band of Miwok Indians
Pamela Baumgartner, Tribal Administrator
P.O. Box 699 Miwok
Plymouth , CA 95669
pam@ionemiwok.org
(209) 245-5800 Office
(209) 245-3112 Fax

United Auburn Indian Community of the Auburn Rancheria
Gene Whitehouse, Chairperson
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
(530) 883-2390 Office
(530) 883-2380 Fax

Ione Band of Miwok Indians
Tina Reynolds, Executive Secretary
P.O. Box 699 Miwok
Plymouth , CA 95669
tina@ionemiwok.org
(209) 245-5800 Office
(209) 245-3112 Fax

Ione Band of Miwok Indians
Yvonne Miller, Chairperson
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Plymouth , CA 95669
administrator@ionemiwok.org
(209) 245-5800 Office
(209) 245-3112 Fax

Shingle Springs Band of Miwok Indians
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P.O. Box 1340 Miwok
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nfonseca@ssband.org
(530) 676-8010 Office
(530) 676-8033 Fax

Randy Yonemura
4305 - 39th Avenue Miwok
Sacramento , CA 95824
honortraditions@mail.com
(916) 421-1600
(916) 601-4069 Cell

Nashville-El Dorado Miwok
Cosme Valdez, Interim Chief Executive Officer
P.O. Box 580986 Miwok
Elk Grove , CA 95758
valdezcom@comcast.net
(916) 429-8047 Voice/Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Sacramento Commpns (P14-012) Project SCH# 2014042032, in the City of Sacramento, Sacramento County, California

**Native American Contacts
Sacramento County
August 8, 2014**

Ione Band of Miwok Indians Cultural Committee
Anthony Burris, Chairperson
P.O. Box 699
Plymouth, CA 95669
(209) 245-5800 Office
(209) 245-3112 Fax

Miwok

Colfax-Todds Valley Consolidated Tribe
Pamela Cubbler
P.O. Box 734
Foresthill, Ca 95631
(530) 320-3943
(530) 367-2093 home

Miwok
Maidu

United Auburn Indian Community of the Auburn Rancheria
Marcos Guerrero, Tribal Preservation Committee
10720 Indian Hill Road
Auburn, CA 95603
mguerrero@auburnrancheria.com
(530) 883-2364 Office
(530) 883-2320 Fax

Maidu
Miwok

Wilton Rancheria
Steven Hutchason, Executive Director Environmental
9300 W. Stockton, Suite 200
Elk Grove, CA 95758
shutchason@wiltonrancheria-nsn.gov
(916) 683-6000, Ext. 2006
(916) 683-6015 Fax

Miwok

April Wallace Moore
19630 Placer Hills Road
Colfax, CA 95713
(530) 637-4279

Nisenan - So Maidu
Konkow
Washoe

United Auburn Indian Community of the Auburn Rancheria
Jason Camp, THPO
10720 Indian Hill Road
Auburn, CA 95603
jcamp@auburnrancheria.com
(916) 316-3772 Cell
(530) 883-2390
(530) 888-5476 - Fax

Maidu
Miwok

Shingle Springs Band of Miwok Indians
Daniel Fonseca, Cultural Resource Director
P.O. Box 1340
Shingle, CA 95682
(530) 676-8010 Office
(530) 676-8033 Fax

Miwok
Maidu

Colfax-Todds Valley Consolidated Tribe
Judith Marks
1068 Silverton Circle
Lincoln, Ca 95648
(916) 580-4078

Miwok
Maidu

This list is current only as of the date of this document.

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Sacramento Commpns (P14-012) Project SCH# 2014042032, in the City of Sacramento, Sacramento County, California



August 13, 2014

Main Office

10060 Goethe Road
Sacramento, CA 95827-3553
Tel: 916.876.6000
Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
Elk Grove, CA 95758-9550
Tel: 916.875.9000
Fax: 916.875.9068

Board of Directors

Representing:

- County of Sacramento
- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
- City of West Sacramento

Prabhakar Somavarapu

District Engineer

Ruben Robles

Director of Operations

Christoph Dobson

Director of Policy & Planning

Karen Stoyanowski

Director of Internal Services

Joseph Maestretti

Chief Financial Officer

Claudia Goss

Public Affairs Manager

www.srcsd.com

Scott Johnson, Associate Planner
City of Sacramento, Community Development
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Subject: Notice of Preparation of an Environmental Impact Report for the Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

The Sacramento Regional County Sanitation District (Regional San) has the following comments regarding the Notice of Preparation for the Sacramento Commons Project:

Regional San is not a land-use authority. Projects identified within Regional San planning documents are based on growth projections provided by land-use authorities. Sewer studies will need to be completed to assess the impacts of any project that has the potential to increase flow demands. Onsite and offsite impacts associated with constructing sanitary sewer facilities to provide service to the subject project should be included in this environmental impact report.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer and treatment facilities that serves new customers. The Regional San ordinance is located on the Regional San website at <http://www.srcsd.com/ordinances.php>.

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via Sump 2/2A and the Regional San City Interceptor system. Cumulative impacts of the proposed project will need to be quantified by the project proponents to ensure wet and dry weather capacity limitations within Sump 2/2A and the City Interceptor system are not exceeded.

On March 13, 2013, Regional San approved the Wastewater Operating Agreement between the Sacramento Regional County Sanitation District and the City of Sacramento. The following flow limitations are outlined in this agreement:

<i>Service Area</i>	<i>Flow Rate (MGD)</i>
<i>Combined Flows from Sump 2 and Sump 2A</i>	<i>60</i>
<i>Combined flows from Sumps 2, 2A, 21, 55, and 119</i>	<i>98</i>
<i>Total to City Interceptor of combined flows from Sumps 2, 2A, 21, 55, 119, and five trunk connections</i>	<i>108.5</i>

If you have any questions regarding these comments, please contact me at 916-876-9994

Sincerely,



Sarena Moore
Regional San/SASD
Policy and Planning

Cc: Regional San Development Services, SASD Development Services, Michael Meyer, Dave Ocenosak, Christoph Dobson



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

20 August 2014

Scott Johnson
City of Sacramento
Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

CERTIFIED MAIL
7013 1710 0002 3644 7563

COMMENTS TO NOTICE OF PREPARATION FOR AN ENVIRONMENTAL IMPACT REPORT, THE SACRAMENTO COMMONS (P14-012) PROJECT, SCH NO. 2014042032, SACRAMENTO COUNTY

Pursuant to the City of Sacramento Community Development Department's 6 August 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Notice of Preparation for the Environmental Impact Report* for the Sacramento Commons (P14-012) Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 - MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711



*Flex your power!
Be energy efficient!*

September 4, 2014

032014-SAC-0173
03-SAC-5 / PM 23.502
SCH#2014042032
P14-012

Mr. Scott Johnson
Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Flr.
Sacramento, CA 95811

Sacramento Commons – Notice of Preparation of an Environmental Impact Report (NOP-DEIR)

Dear Mr. Johnson:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the Sacramento Commons' NOP-DEIR. Caltrans previously sent comments on May 12, 2014 for the NOP of a Sustainable Communities Environmental Assessment (SCEA). Caltrans appreciated the opportunity to meet with City of Sacramento and Sacramento Area Council of Governments (SACOG) staff, as well as the project proponents to discuss this project on July 16, 2014. The proposed residential mixed-use development is designed to qualify as a transit priority project (TPP) that would replace 206 existing apartments with approximately 1400 – 1500 dwelling units (including the existing 203-unit Capitol Tower building) of various types and densities on a 10-acre infill site in downtown Sacramento. The proposed project would also provide a new parking structure for up to 1,778 spaces to serve all project site uses, including 65,000 – 69,000 square-feet (sqft) of retail and/or support uses, and 44,000 sqft of live-work space within the boundaries of 5th St., 7th St., N St., and P St. . The following comments are based on the NOP-DEIR.

Senate Bill (SB) 375 Streamlining

SB 375 provides for streamlined analysis of impacts from car and light-duty truck trips on the State Highway System (SHS) and global warming provided certain conditions are met. If the Sacramento Commons project does not qualify for streamlining provisions under SB 375 regarding traffic impact analysis, based on the project's location and potential for significant traffic impacts, Caltrans requests a Traffic Impact Study (TIS) to assess the impact of Sacramento Commons on the State Highway System and adjacent road network. We recommend using Caltrans' *Guide for the*

Preparation of Traffic Impact Studies (TIS Guide) for determining which scenarios and methodologies to use in the analysis. The *TIS Guide* is a starting point for collaboration between the lead agency and Caltrans in determining when a TIS is needed. It is available at the following website address:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.

If the project proponent does not analyze traffic impacts to the SHS, please provide details in the DEIR or SCEA on how the proposed project will advance the planned projects that are shown in the SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), including transit, bicycling, and pedestrian facilities. This could be potentially achieved by making financial contributions to a corridor fee program.

Caltrans is supportive of transit-oriented development and improving the jobs/housing balance throughout the region. However, the appropriate transportation infrastructure that supports more compact land uses (such as enhanced transit, bicycling, and pedestrian facilities) must be in place in order to support the viability of more compact development. Making infrastructure and operational improvements to these modes of travel will reduce demand on the SHS, thereby reducing the impacts to the SHS, and realize the vision of the MTP/SCS. Using the streamlining provisions of SB 375 does not exempt development projects from making necessary infrastructure and operational improvements. The DEIR must incorporate all feasible mitigation measures and performance standards.

Traffic Management Plan as Mitigation

Part of the proposed project is demolition of an existing 206 dwelling unit structure and construction of two high-rises that will be over 20 stories which could potentially require a traffic management plan for the removal of debris and delivery of large structural components. Mitigation Measure TRN-3 of the SACOG MTP/SCS provides for the application of best practice strategies to reduce the localized impact from construction activities on the transportation system for impacts (TRN-7) resulting in construction activities that interfere with ongoing operations of the regional or local area transportation system. If it is determined that traffic restrictions and detours are needed on or affecting State highways, a TMP or construction Traffic Impact Study may be required of the developer for approval by Caltrans prior to construction. TMPs should be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address:

<http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd2012/Part6.pdf>.

Parking

The project as proposed provides more parking spaces than the number of planned dwelling units. As demonstrated by other recent projects in the vicinity of this project, there are thousands of parking spaces within short walking distance that are underutilized. Limiting parking at the Sacramento Commons development will help reduce the number of vehicles on the roadways and encourage the use of transit, walking, and biking. Please provide an analysis of parking in the DEIR or SCEA, focusing on how this project helps achieve the vision of the MTP/SCS.

Mr. Scott Johnson / City of Sacramento, Community Development Department
September 4, 2014
Page 3

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Arthur Murray, Intergovernmental Review Coordinator at (916) 274-0616 or by email at: arthur.murray@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Fredericks".

ERIC FREDERICKS, Chief
Office of Transportation Planning – South

c: Scott Morgan, State Clearinghouse

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



September 5, 2014

Sent via email

Scott Johnson, Associate Planner
City of Sacramento
Community Development Department
300 Richards Blvd.
Sacramento, CA 95811
srjohnson@cityofsacramento.org

Dear Mr. Johnson:

**RE: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR
THE SACRAMENTO COMMONS PROJECT, SCH#2014042032**

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the Sacramento Commons Project. The following comments are based on a review of the Notice of Preparation and the Draft Initial Study (August 6, 2014). In addition we have reviewed the Historical Resource Inventory and Evaluation Report (Historical Resource Report) for the Capitol Towers Apartments, prepared for Kennedy Wilson by JRP Historical Consulting, LLC (May 2014).

The State Historic Preservation Officer and the OHP have broad responsibilities for the implementation of federal and state preservation in California. We have a long history working with the City of Sacramento through the Certified Local Government Program.

Impacts to Historical Resources

As the lead agency the City of Sacramento is responsible for identifying historical resources and assessing impacts on those resources. The California Environmental Quality Act (CEQA) provides a very broad definition of a historical resource. The law casts a broad net and is intended to be inclusive rather than exclusive. Historical resources include those that are mandatory, those that are presumptive and those that are discretionary. Please ensure that the EIR includes an analysis of the impacts of the proposed project on any and all historical resources at the project site and in the vicinity of the project site including the Capitol Towers complex.

Built Environment

The conclusions reached in the city's Initial Study and the Historical Resource Report appear to be contradictory. The Historical Resource Report concludes that the Capitol Towers complex is not eligible for inclusion under any of the four criteria for listing in the National Register of Historic Places, nor under any of the four criteria for listing in the California Register of Historical Resources. In addition, the report finds that the property does not meet any of the criteria for inclusion in the Sacramento Register. On the other hand, the Initial Study does conclude that the impact of the project on the built environment is considered potentially significant and that the impacts will be further reviewed in an EIR.

The OHP is in receipt of a draft National Register of Historic Places Registration Form for the Capitol Towers complex. The draft concludes the property is a historic district that "meets National Register Criterion A as the first privately sponsored urban redevelopment project to start construction within Sacramento and as the initial residential component of the Capitol Mall Redevelopment Project. . . . Capitol Towers also meets Criterion C as an admirable example of urban redevelopment housing that uses socially responsive site planning, architectural design, and urban planning principles to create a livable community despite the constraints tied to federal loan guarantees" (National Register Draft, section 8, pages 35-36). The draft nomination is scheduled for posting on the OHP website (www.ohp.parks.ca.gov) September 8, 2014 and is scheduled to be heard by the State Historical Resources Commission at its November 7, 2014 meeting. Staff has reviewed the draft nomination and believes that the nomination is complete and that the property does appear to meet both criteria A and C of the National Register of Historic Places as a historic district at the local level of significance.

Archeological Resources

Mitigation Measure CR-2, required by the MTP/SCS Program EIR, provides a course of action for the city to follow. However, this process would be better served if it were carried during the Initial Study to determine if, in fact, archeological properties are present, or likely to be present, at the project site, not as part of mitigation/monitoring program put forth in the EIR. Mitigation after the project has commenced is not a substitution for adequate identification of cultural resources during the planning process. A research design and study, which may include some testing, should be prepared so that if potential sites are identified they can be addressed in the EIR before the project commences. Simply monitoring during construction is not adequate because the option to avoid impacts or to alter the project design will be limited or altogether precluded.

Alternatives

The DEIR will, of course, include a No Project Alternative. Given the significance of a historical resource (Capitol Tower) that includes the entire project site we request a robust and thorough analysis of this alternative (CEQA Guidelines, Section 15126.6(e).) Likewise, we expect an equally thorough analysis of alternative locations for the project,

locations which would not require the demolition of an important historical resource (CEQA Guidelines, Section 15126.6(f) (2).)

Mitigation Measures

We request the city to consider and adopt meaningful mitigation measures that go beyond commonly considered measures such as plaques, Historic American Building Survey (HABS) documentation, incorporating design features into the new project, and monitoring excavation for discovery of any possible cultural materials. We recommend that the city actively engage its Preservation Commission to develop mitigation measures that promote the goals and objectives of the city's historic preservation program. Such measures could include additional historic properties surveys in parts of the city that have not been surveyed, development of design guidelines, or the establishment of the Mills Act Program. Mitigation measures could be funded directly, however, we encourage the city to create a Historic Preservation Mitigation Fund, as a place to deposit compensatory mitigation funding from this and other future projects.

Thank you for considering our comments. If you have questions, please feel free to contact Lucinda Woodward, Supervisor of the Local Government and Environmental Compliance Unit, at (916) 445-7028 or at Lucinda.Woodward@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Miriam Barcellona Ingenito
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

September 5, 2014

Via E-mail Only

Mr. Scott Johnson
SRJohnson@cityofsacramento.org

DEPARTMENT OF TOXIC SUBSTANCES CONTROL COMMENTS ON THE DRAFT SACRAMENTO COMMONS INITIAL STUDY

Dear Mr. Johnson:

The Department of Toxic Substances Control (DTSC) has received and reviewed the August 6, 2014 Draft Initial Study for Sacramento Commons Project (SCP). DTSC appreciate the opportunity to review and comment on the initial Study for SCP.

In this initial study, City of Sacramento fully realizes that the eastern portion of the project site is underlain by the South Plume Study Area contaminated groundwater plume emanating from the former Union Pacific Railyards. Dewatering activities for SCP should be designed and implemented as to not adversely affect remediation of the South Plume, or exacerbate it such that contamination expands or impacts the upper sand zone. Furthermore, if this project expects to encounter contaminated groundwater during the construction, DTSC guidance on vapor intrusion should be considered.

If you have any questions or need further information regarding South Plume investigation and remediation, please contact Ms. Ruth Cayabyab at (916) 255-3601 or Ruth.Cayabyab@dtsc.ca.gov.

Sincerely,

Cindy Chain-Britton
Hazardous Substances Engineer
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control

cc: Ms. Ruth Cayabyab
Hazardous Substances Engineer
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
Ruth.Cayabyab@dtsc.ca.gov



September 5, 2014

Mr. Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-5842;
E-mail: srjohnson@cityofsacramento.org.

Subject: Notice of Preparation (NOP) of an Environmental Impact Report for the Sacramento Commons Project

Dear Mr. Johnson,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) to prepare an Environmental Impact Report for the Sacramento Commons Project. SMUD is the primary energy provider for Sacramento County and the proposed project location. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is our desire that the Sacramento Commons Project will acknowledge any project impacts related to the following:

- Overhead and or underground transmission line easements
- Electrical load needs/ requirements
- Energy Efficiency
- Utility line routing
- Climate Change

Based on our review of the NOP and our understanding of the proposed project, SMUD offers the following input:

The existing area outlined in the Notice of Preparation (NOP) is served by the network system, in particular, a secondary grid system ("Grid 9"), all of which reside in below-grade vaults and manholes that are interspersed within the area outlined in the NOP. This system presents unique challenges and limitations for any potential changes.

While long-term plans for the area call for the eventual migration to 21 kV service for the proposed development outlined in the NOP, it should be noted that due to the inherent

nature of the existing secondary grid system, any impacts or changes must be done in a carefully planned manner.

Some notable items include, but are not limited to:

- The existing infrastructure of the network system, in particular, the vaults, conduits and manholes that are dispersed within the proposed development area, must be maintained until such time it can be fully decommissioned all at once.
- The vaults and manholes must be maintained during any demolition and preliminary construction until such time 21 kV service can fully replace the services currently being served from the secondary grid.
- Any services that are part of the secondary grid, but not targeted for development or redevelopment will mean that the secondary grid must be fully maintained until such time a 21 kV service can be either brought to it to replace the existing service, either under existing new business rules or a separate “off-site” project.
- If a 21 kV service cannot be brought in to replace those services, then in all likelihood, all or most of the network infrastructure (i.e., all vaults, manholes and circuits/duct work) will most likely have to be maintained in their existing locations in perpetuity or until a 21 kV service can be brought in to replace all of the network services currently being served from the secondary grid.

SMUD would like to be involved in discussing these issues as early as possible. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on the NOP. If you have any questions regarding this letter, please contact Rob Ferrera, SMUD Environmental Specialist at (916) 732-6676.

Sincerely,



Rob Ferrera
Environmental Specialist
Environmental Management
Legislative & Regulatory Affairs
Sacramento Municipal Utility District

Cc: Pat Durham
Steve Johns
David Fuke
Joseph Schofield

Gerken, Matthew

From: Scot Mende <SMende@cityofsacramento.org>
Sent: Wednesday, August 27, 2014 2:12 PM
To: Scott Johnson; Tom Buford; Goldman, Jeff
Subject: FW: Housing Demand
Attachments: Sasaki_urb hist arch_desgn.pdf

Here is an e-mail I received from Carr Kunze regarding housing displacement.
While the e-mail doesn't specifically claim to be a comment on the NOP, perhaps it should be taken into account?

Scot

From: ckella@comcast.net [<mailto:ckella@comcast.net>]
Sent: Friday, August 22, 2014 9:47 PM
To: Scot Mende
Subject: Fwd: Housing Demand

Scot,

It was a pleasure having the opportunity to converse this morning.

The term I was searching for I believe was called 'the marginal elasticity of demand' for housing, referenced herein below, but discussed either as 'price elasticity' or 'income elasticity'.

In either event, it doesn't address why or whether enough production could be stimulated to permit sufficient filtering so as to reduce or eliminate the 'demand' for substandard housing. In other words, we are likely left with the notion that 'filtering' doesn't really work, when it comes to housing, or, works only marginally and up to a point. But, as larger market forces--radical swings in the economy as we have once again witnessed (radically diminished housing production that fails to meet household growth for several years, displacements due to foreclosures causing pressures on rents, and loss of credit precluding purchases, and as a colleague and I discussed today: the emergent distrust of the homeownership market by millenials and their swing away from homeownership while also being highly burdened by college debts)--compound the problems particularly in the rental market before either income generated demand or the supply of subsidized housing could grow sufficiently so as to diminish housing needs.

Rather, the risk now is that displacements caused when standard condition housing is eliminated, in turn will bring about the reverse: compounding housing problems by causing more doubling up, or, increased demand for lower priced housing, and thereby stifling any potential for downward filtering if there were to be any.

In turn, a conundrum which is almost raised by this paper, but not explored is: If as suggested, there is model which explained (at one point) why more affluent households simply moved to the suburbs and thereby left only the poor in the inner city, then, how would that model have been applied to developing countries where the reverse is the case--the poor are in favelas and shanty towns on the outskirts of cities while the affluent occupy the inner sections?

<http://www.econ.wayne.edu/agoodman/research/pubs/Housing%20Demand%20-%201%20-%20Final.pdf>

Another item that may be of interest is attached. This study by Sasaki Associates--landscape architects and planners--identifies an important preference by urbanites for finding opportunities to preserve, and where needed restore, historically significant architecture as a means of enhancing the urban experience.

Again, as we discussed, there is a substantial need for moderate income housing in the urban core that needs to be preserved and addressed. Absent such efforts, the City will be exacerbating a problem that affects several income levels and is projected to get only worse. Shortly, I will forward some relevant studies that have been coming out statewide and nationally that speak to this issue. Or, in advance, you may wish to google up the Harvard Joint Center's most recent annual survey of the nation's housing. Examine as well, California Housing Partnership Corporation's most recent survey for Sacramento and the State (assisted locally by Sacramento Housing Alliance). The latter study does not speak outrightly to the moderate income dilemma, which nevertheless is implicit in the numbers presented in the study.

I believe there is a range of feasible options to averting the loss of this historically significant architecture and urban design element as well as for averting the displacement of what is likely to become nearly some 400 households. Yes, even though KW may preserve the towers portion, they have indicated they would either convert it to condos or create an assisted living facility. Either approach does not add to the housing supply and merely displaces another group of households into a market that is certain to continue to distort with a mismatch of income growth to price/rents over the next few years.

Best regards,

Carr

8/16/14

Dear Scott,

My name is Kate Gazzo. I am a current resident at Capitol Towers who moved in approximately two months ago. What I love most about living here is the existing green space that this block (7th-5th, N-Pst.) has. I rarely turn on my AC because my apartment is shaded by 30 or 40 year old Sycamore trees. I was so happy to see that they kept a lot of these existing trees during the construction of Capitol Towers.

I work for an environmental planning and design firm in Sacramento (Great Ecology). I cannot stress how much I value the trees, open space of this area as do many people within this community. My suggestion for the proposed development is for the plan to include the same amount of green space as development. I think the existing green space is being referred to as "pedestrian promenades" - these are great - don't remove this value. The rooftop open space areas are also a neat idea to add more green space to this small area.

Have a wonderful day. Thanks for your consideration.

Sincerely,
Kate

From: ckella@comcast.net [<mailto:ckella@comcast.net>]

Sent: Friday, August 22, 2014 9:47 PM

To: Scot Mende

Subject: Fwd: Housing Demand

Scot,

It was a pleasure having the opportunity to converse this morning.

The term I was searching for I believe was called 'the marginal elasticity of demand' for housing, referenced herein below, but discussed either as 'price elasticity' or 'income elasticity'.

In either event, it doesn't address why or whether enough production could be stimulated to permit sufficient filtering so as to reduce or eliminate the 'demand' for substandard housing. In other words, we are likely left with the notion that 'filtering' doesn't really work, when it comes to housing, or, works only marginally and up to a point. But, as larger market forces--radical swings in the economy as we have once again witnessed (radically diminished housing production that fails to meet household growth for several years, displacements due to foreclosures causing pressures on rents, and loss of credit precluding purchases, and as a colleague and I discussed today: the emergent distrust of the homeownership market by millenials and their swing away from homeownership while also being highly burdened by college debts)--compound the problems particularly in the rental market before either income generated demand or the supply of subsidized housing could grow sufficiently so as to diminish housing needs.

Rather, the risk now is that displacements caused when standard condition housing is eliminated, in turn will bring about the reverse: compounding housing problems by causing more doubling up, or, increased demand for lower priced housing, and thereby stifling any potential for downward filtering if there were to be any.

In turn, a conundrum which is almost raised by this paper, but not explored is: If as suggested, there is model which explained (at one point)why more affluent households simply moved to the suburbs and thereby lefy only the poor in the inner city, then, how would that model have been applied to developing countries where the reverse is the case--the poor are in favelas and shanty towns on the outskirts of cities while the affluent occupy the inner sections?

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Best regards,

Carr

Scott Johnson

From: Michael Galizio <mgalizio@earthlink.net>
Sent: Wednesday, August 27, 2014 12:55 AM
To: Scott Johnson
Cc: Scot Mende; Tom Buford; Steve Hansen
Subject: RE: Scoping: Sacramento Commons Project (P14-012) (SCH# 2014042032).

Mr. Johnson:

Pursuant to the notice from the City Planning Department on the above captioned project, herein are my requests for inclusion in the preparation of the required Environmental Impact Report

Fire Safety is already compromised by the City over-crowding an area with an Arena, existing high and low rise residential units (Governors Square, Pioneer Towers, Pioneer House, Capitol Towers -existing, Bridgeway Towers the Rail Yards project) and more. The local and area Fire Stations and the dedicated firefighters staffing them cannot handle the proposed new units at the proposed Sacramento Commons. In fact, the City scheduled closing our local Fire Station and only through the work of local residents is it still open. The City keeps telling us there is no money for additional resources for fire protection in the area - and my family's safety and that of our existing neighbors is more important than the Sacramento Commons proposal.

Emergency Services are not prepared nor funded for additional residential and commercial units imagined in the project (see above for list of existing units already underserved).

Historic Preservation: Please refer to the following link for more information on the importance of the Wurster designed and built low-rise garden apartments proposed for demolition by this project:
https://www.laconservancy.org/sites/default/files/files/issues/ARG%20Garden%20Apts%20%20HCS%2010_17_12%20FINAL%20VERSION.pdf

Traffic Problems - overcrowded roads and access/egress issues. The area roads are already crowded not just at am and pm commute times, but all during the day as a result of the Wells Fargo Building, the New Bank Building at 5th and N, the B of E building and the numerous residential units in the area combining with Capitol and commercial traffic traveling to the various highway entrances on P Street L Street and J Streets. These highway feeder roads not built for the increased traffic of the Arena being built in the area and the increased traffic from other development in the area. The roads certainly cannot handle additional strain from this project.

Loss of Open Space, Loss of Tree Canopy, loss of quality of life for the hundreds of senior families living in the area. Sacramento Commons envisions taking an area with open space, pedestrian walkways, bicycle pathways and removing all these amenities from the neighborhood, contrary to the public interest to benefit one company.

Original Intent of the redevelopment project creating Capitol Towers, Garden Apartments and closing of O and 6th Streets for public pedestrian use must be studied and considered. The alteration of the area would be a revocation of the "contract" between the city and the public in favor of the applicant.

Density: The area in which the proposal envisions thousands of more residents is already the most densely populated 6 block area of the city. This proposed project will created too many units with too many people in an area that is already mature, densely populated and working. The proposal is density for "in-fill" sake with no consideration of the affect on existing residents or with any benefits to the public interest.

Water management issues: The city is responsible for providing safe, clean and abundant water to its residents. This proposal will further strain the already stretched to the limit water resources in the city. There is not enough water for all the proposed developments being considered by the Planning Department. The following information and other water related facts must be considered when evaluating this proposal:

- 1) Groundwater, which, as defined by the EPA is water stored in aquifers, is used for a variety of purposes like drinking water and laundry. **California is currently using groundwater for many of its water needs, which, according to the same UC Davis Center for Watershed Sciences study, will increase from 31% to 55%.** Without active wet years to replace groundwater, the U.S. Geological Survey predicts that there is a danger that aquifers could go dry, which could lead to a loss of valuable water reserves. (Source: *UC Davis*)
- 2) **Researchers from UC Davis also found that the drought will continue not only through 2015 but also into 2016,** regardless of El Niño conditions that may bring wetter weather to the area. If this happens, "surface water availability [will reduce by] approximately six million acre-feet a year." Surface water, as defined by the U.S. Geological Survey, is the water most humans use every day — from drinking to irrigation. The loss of this water spells nothing but trouble for all of us, Californians or not. (Source: *UC Davis*)
- 3) The saga begins with the fact that much of California is a desert or semi-desert. The only outside source for the state comes from the Colorado River, a siphon created in the 1920s that has long embittered other Western states. Irrigating a desert is no small feat and has prompted all manner of chicanery and backroom deals, as immortalized in the film Chinatown. (Source: *Politico*)
- 4) **With California facing one of the most severe droughts on record,** Governor Brown declared a drought State of Emergency in January and directed state officials to take all necessary actions to prepare for water shortages.. (Source: CA.gov)

Thank you for your consideration. Please let me know if these items are not included so I can pursue other avenues to insure inclusion in the process.

Michael Galizio
916-541-9299 mobile
mgalizio@earthlink.net

This message may contain privileged and confidential information. No one other than the person or organization for whom it is intended is authorized to make any use of it. If it is received by a person to whom it was not intended to be transmitted, no privilege is waived. If you have received this message in error, please return it to the sender marked "Wrong Address" using the reply function and delete all records of this message from your computer.

To: Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor, Sacramento, CA 95811
Telephone: (916) 808-5842
E-mail: srjohnson@cityofsacramento.org

Subject: Proposed Sacramento Commons Environmental Impact Report

Here are some issues I would like addressed in the EIR.

- **Illustrations.** Please make sure that in illustrations, relief and winter shading are shown from the vantage points of neighbors. One picture on display at the EIR Open House last week made the canyon between 500 N and the proposed midrise look far less long than it was because of the angle it was drawn from. Since cardboard is cheap, how about making a 3D model and distributing it to Commissioners and Council members.
- **Alternative Layout.** KW's plan (shown at right) puts the nice green space in the middle of the midrise south of 500 N, while putting a long wide and tall building wall only 40 feet from south side 500 N apartments and north side Pioneer Towers apartments. This removes the distance view and sunlight KW is seeking for its own apartments, which it will face away from neighbors because it recognizes the short view is unpleasant).¹ It also shades 500 N, removing its passive solar features (described in



¹ "Residential buildings should be oriented to the street or common open space areas to allow units access to natural light and ventilation, as well as, street or promenade views." Sacramento Commons Planned Unit Development Guidelines – Draft March 2014, page 41 (The promenade and the street views KW wants for its tenants are both much longer than the 40 foot view KW wants to leave south-facing 500N and north-facing Pioneer Tower residents.)

footnote)² and backyard swimming pool, thereby tremendously increasing energy use.

Please evaluate the following alternatives in addition to the no project alternative:

Alternative A: KW gets almost the full bag of candy (development rights) it asked for, but the 40 foot corridor lies between KW's midrise above-patio building segments rather than between one midrise and the impacted neighbors who are already facing the Commons. A green area for Sacramento Commons tenants would be located north of the midrise (or south in the Pioneer Tower's case), leaving a 60 foot setback between any midrise and the north or south property line. I show this with 2 KW swimming pool placement options. A third options keeps the pool where KW planned but puts less greenery around it.



² 500 N's south side is passive solar because the balcony overhangs protect apartments from the summer sun but let in the lower winter sun, which removes the need for winter heating outside of long rain spells. In summer the higher sun angle keeps direct sunlight and its heat away from the south windows and walls, while the balconies themselves through at least the 9th floor are shaded by deciduous trees KW would remove. Residents open up at night to let the Delta Breeze cool their apartments, and the concrete building retains that coolness, further limiting air conditioning demand. The proposed development would block the Delta Breeze in summer and the insolation in winter for roughly the lower half of 500 N.

Option A1. Patio parking does not extend under the neighbor-facing green space. This has the huge advantage of preserving the 2 beautiful slow-growing trees on the south side of 500 N closest to the parking lot. (The trees further east are wonderful but not as lovely and quicker growing.)

Option A2. Patio parking extends under the neighbor-facing green space but does not vent to the neighbors. We neighbors see one story of wall followed with green space above it, not a story of cars that release emissions toward our balcones.

Relevant info: Half the neighbors, at least on 500 N, have apartments that only vent toward the Commons, that is we face fully south. Our south side is all sliders and windows, so we would absorb a lot of fumes from a parking garage that vented our way, particularly considering its width, proximity, and the number of cars it would house. We'd also have to always keep our shades drawn for privacy.

Alternative B: KW comes up with a design that leaves a similar 80 foot setback from existing homes (60 feet from the property line), but not necessarily with 2 L-shaped buildings.

Alternative C: The midrises are shortened considerably in height and/or breadth.

Alternative D: To preserve historic urban forest and the public park like setting, midrises are limited to lying along 5th Street, much like the 5th Street edges of the L shape of the 5th Street buildings.

Alternative E: No midrises.

For the plan and the above alternatives, please evaluate at least

- a. Wind tunnels created by short distances between tall wide buildings, or alternatively, lack of ventilation and blocking of Delta Breeze (which, if either would occur? Can you find a precedent in Sacramento with only 40 feet between 2 long wide buildings facing north south?)
- b. Daylighting and view, particularly for the neighbor buildings because their orientation did not plan for a tall and nearly block-wide wall right in front of them. Consider residents in the middle of that block (like my own condo) and on lower floors, who may see nothing but wall outside their windows.
- c. Loss of passive solar heating and Delta Breeze cooling, for 500 N. Carbon impacts.

- d. Loss of sunlight and solar heat gain for 500 N swimming pool, lowering pool value while increasing pool heating costs.
- e. Air quality to homes from the parking lots, based on where exhaust will vent and the number of cars in the lot.
- f. Water impacts. 500 N was looking to switch to drought resistant plants on its south side but only tropical or temperate rainforest vegetation could support the sort of shade proposed by an 8-story building next door due south.

In addition, please evaluate:

- **Market for downtown development.** If all 1400-1500 units are built, will that preempt building in desired downtown city spots or will there be plenty of demand for all? Similarly, will a 20+ story high-rise cause a race to the sky for the highest viewpoint throughout the downtown area, and will that cause excess building and enough vacancies to cause bankruptcies and blight?
- **Traffic:** How will the local streets support traffic when 1500+ people drive for work from that spot? Will it slow an important arterial (5th Street), possibly create gridlock and lengthen commutes? To what economic and air pollution costs? Would a smaller project help?
- **Parking:** 1778 spaces for 1400-1500 dwelling units means most units have one parking spot, and residents work downtown or along convenient transit routes. Please evaluate
 - a. Based on the cost of construction, can we obtain rents low enough for downtown workers?³
 - b. If rents are not low enough for downtown workers, can we find people willing to rent downtown at Sacramento Commons prices and also willing and able to take transit to non-downtown work places?
 - c. If not, will we get two-car families that spill over into street parking and paid parking structures, and how full are they now? Does that lead to much

³ Note the average state employee earns \$56,600 and the median is considerably lower since the average factors in the large salaries of top level administrators. (<http://www.sacbee.com/statepay/#req=employee%2Ftop%2Fyear%3D2013>) My anecdotal experience as a state worker at 5th and O is that colleagues have rented apartments in walking distance for \$800 to \$1300 a month and have not considered pricier ones.

driving around looking for parking, especially for commuters to downtown?
What is the total emissions effect and traffic effect?

- d. If KW cannot find people to rent homes with only one parking spot, and feels compelled to add floors to his parking structure, will it have the right, and if so what are the environmental and traffic impacts?
- **Limiting the increase in local automobile use**
 - a. Can bicycle traffic be made safe in the neighborhood? A dedicated bike path by the sidewalk, for example?
 - b. Where might a supermarket be cited locally to serve this new population and discourage driving?

Thank you for addressing these issues.

Request to receive notices: Please email me notice of all hearings, notices and release of public documents pertaining to the Sacramento Commons Project.
(adrienne.kandel@gmail.com)

Thank you.

Adrienne Kandel, Wendy Kandel, Susan Kandel

- Owners of unit #707, south side of 500 N Street
- Adrienne is also an Energy Commission employee working at 1500 O Street (5th and O), and will miss the urban forest view she's been lucky to have and the walks on promenades that are targeted to become gulleys between tall buildings

Adrienne.kandel@gmail.com

Scott Johnson

From: gretchen steinberg <sacramentomodern@comcast.net>
Sent: Wednesday, September 03, 2014 11:15 AM
To: Scott Johnson
Subject: Capitol Towers Soil Conditions
Attachments: FromSacMod.Arts&Architecture.May1963.pp28-29.pdf

Hi Scott,

As promised during the Scoping Meeting for Sacramento Commons, I am informally forwarding some findings I came across during the course of my research into Capitol Towers. Formal comments regarding the NOP/EIR will be forthcoming.

I encountered evidence of previous concerns regarding the site's soil conditions. These concerns were mentioned in a May 1963 *Arts & Architecture* article: "Soil conditions required low-rise buildings supported on spread footings." See attached.

Further details regarding previous soil investigations pertaining to the site and consequent foundation recommendations can be found on the historic microfilm records maintained by City of Sacramento's former Building Department and stored with the Center for Sacramento History. See Reel 115, Frames 14 - 345.

This may not be of any concern with current-day technology; I am simply passing the information along.

Thanks,

Gretchen Steinberg
SacMod.org

From SacMod - Article: "San Francisco Bay Region A.I.A. Awards."
Arts & Architecture, May 1963, pp.28-29

"San Francisco Bay Region A.I.A. Awards

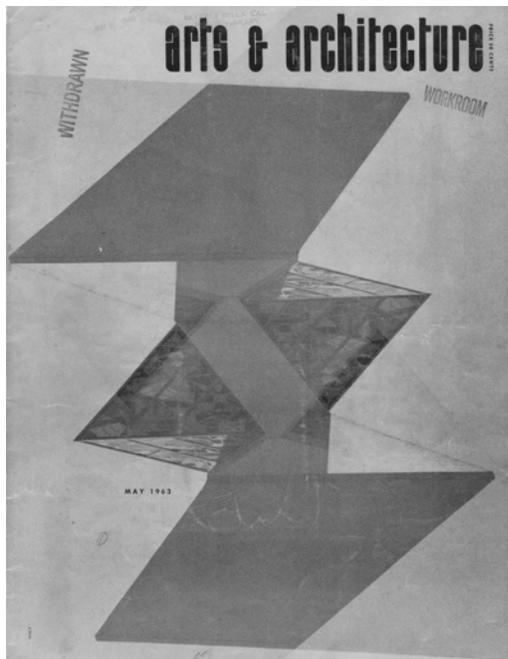
The buildings shown here are among the Merit Award winners selected from 230 entries in the recent Bay Region Honor Awards Program. Excellence of design, orientation to site, appropriate choice of materials and detailing, and suitability to occupants were considered in judging the projects, which have since been on display at the M.H. De Young Memorial Museum in San Francisco.

The jury was composed of architects Paul Hayden Kirk and John Johansen; Joseph R. Passonneau, dean of the School of Architecture, Washington University, St. Louis; and John D. Entenza, Director of the Graham Foundation for Advanced Studies in the Fine Arts.

1. Capitol Towers Redevelopment Project, Sacramento. Architects: Wurster, Bernardi & Emmons; Edward L. Barnes; DeMars & Reay.

Maximum advantage was taken of the park-like atmosphere of the site by creating a central core exclusively for pedestrians in this apartment complex. Soil conditions required low-rise buildings supported on spread footings. The apartments are stucco on wood with a range of bright colors used on the exterior trim.

JURY COMMENT: "A most handsome solution to an extremely difficult and important architectural problem. Many times mass housing in this income bracket becomes a hard-boiled, inhuman concept. The fine separation of the occupant from the automobile is most commendable, and all the jury agreed that from the pedestrian viewpoint — the gardens, the plaza furniture, and the recreational spaces were most successful. A comfortable and simple transition from the private residential living to public housing."



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2 PHOTOGRAPH VESTER DICK

2. *Carmel Junior High School, Carmel Valley.* Architects: Kump & Associates; Elston & Cranston.

This school was designed to fit into an overall redevelopment program, the next stage of which is conversion to a senior high school, releasing the existing high school for use as a junior high school. The general plan here reflects a cellular structure with repetitive module units which may be expanded on the periphery without disturbing full operation during expansion. Trussed roof construction supported by perimeter piers of pre-cast concrete leaves the interior of each unit free from structural supports and allows non-bearing partitions to be placed as needs dictate.

JURY COMMENT: "Although campus plans are overdone in some areas, located in Carmel it seems to be most appropriate. The jury noted with interest the masonite jalousies which when closed, completely contain the classroom, and yet can be opened for ventilation and visual contact to the exterior."



3 PHOTOGRAPH RONALD PARTRIDGE



4 PHOTOGRAPH KARL H. RIEK

3. *Cyclotron Building, Berkeley.* Architect: Gerald M. McCue and Associates.

The program for this radio chemistry laboratory at the University of California posed problems of complex technical planning relationships on a site with an average 30% slope. Experimental areas were placed parallel to the hill to allow level horizontal expansion. The dominant visual form is the clear span of the linear space traveled by the bridge crane. The large mechanical and electrical loads required that a major portion of the building be devoted to utility rights of way. The high bay is steel frame, rigid in the direction of the clear span and braced at the side walls; roof is metal deck. The low bays are steel frame with concrete floor and roof slabs. Exterior is all steel with insulated siding.

JURY COMMENT: "A good, strong design with a most appropriate choice of materials and detailing for an industrial building. An excellent site plan, on a very difficult site, taking full advantage of the topography . . . a very refreshing departure from the bridge-over-the-pond approach to industrial buildings."

4. *Residence, Mill Valley.* Architects: Marquis & Stoller.

This house was designed for a working couple without children who wanted a retreat in the hills overlooking San Francisco Bay. The nature of the site, approached from above, lent itself to a village-compound-like solution. The building is wood frame, laminated wood beams, redwood siding and paneling on a concrete slab.

JURY COMMENT: "A dramatic and controlled use of an unusual site. One of the few houses experimenting with pavilion forms that was able to express them clearly in relationship to the interior spaces and their use."



5 PHOTOGRAPH DANDELET

5. *University Fraternity Cluster, Palo Alto.* Architect: John Carl Warnecke & Associates.

Individuality for these Stanford fraternity houses was achieved by the use of one-story and combined one- and two-story structures and by creating a variety of entrances and interior patios. Privacy was obtained for the outdoor areas by landscaping and orientation. A central kitchen serves four houses with a short connecting passage to each dining room. The buildings



6 PHOTOGRAPH ROY FLAMM

are wood frame with vertical redwood siding. Concrete columns support wood arcades covered with tar and gravel.

JURY COMMENT: "A complicated problem solved in a simple, direct manner. A beautiful site, carefully designed. The informal and understated architecture gives a pleasing residential quality to what otherwise could have become a typical institutional group of buildings. The combination of wood and concrete is most successful."

6. Residence, Mill Valley. Architect: Joseph Esherick.

Considered basically as a shelter from which the occupants can enjoy the view provided by the steep, hillside site, the house is simple and crisp. The series of Douglas Fir trellises were designed to handle a serious sun control problem and each relates specifically to the window it protects. The exterior is wood frame with cedar shingles; interior is oak flooring and vertical tongue-and-groove resawn redwood walls.

JURY COMMENT: "A rather controversial house, yet one that comes close to satisfying a plea for a special architectural experience. Spirited and interesting voids and spaces. A simple shingled wooden structure with changing volumes. A house that fits within the regional styling but does so with great freedom."



7 PHOTOGRAPH MORLEY BAER

7. Residence, Berkeley. Architects: Watanabe, Lipscombe & Fornoff.

This informal, Japanese-style house had to conform to a five-sided city lot, criss-crossed with three easements of from 5 to 10 feet in addition to the usual setback ordinances. The house and the garden are closely related. The decorative value of the naked timber was utilized in this exposed post and lintel structure, and a rigid rectilinear system is contrasted to the curves and irregular shapes of the garden shrubs and stones.

JURY COMMENT: "A well coordinated solution to an irregular site, providing some fine interior courts and relationships. Well detailed and beautifully planted."



8 PHOTOGRAPH ERNEST BRAUN

8. Residence, Atherton. Architects: Knorr & Elliott.

A blank wall facade isolates the lot and protects the two separate pavilions comprising this house, one for living and entertaining, one for sleeping. The adobe brick curtain walls are fitted directly into the H sections of the steel framing and serve as both interior and exterior finish.

JURY COMMENT: "A well zoned plan that develops extreme privacy between the living and bedroom portions of the house. Although very stylized, the architect has been able to retain a human character and rationality. Sensitively handled and well detailed."



9 PHOTOGRAPH ROGER STURTEVANT

9. Motor Hotel, Palo Alto. Architects: Campbell & Wong Associates.

The usual regimented motel look has been avoided and a purposeful scattering of the buildings gives variety to a perfectly level site. Each building is oriented to one of the two major vistas—the main terrace and swimming pool or the planted lagoon. The exterior is stucco and rough redwood over wood frame. Interiors are of sheetrock with exposed tongue-and-groove Douglas Fir ceilings.

JURY COMMENT: "A sensitively scaled and well coordinated solution. An obvious (though seldom used) solution of parking the cars adjacent to the entry of the motel and opening the units onto private gardens, courts, or balconies. The lagoon in front of the motel unit looks a little forced, but in all, the relationship of planting and landscaping to buildings is commendable."



10 PHOTOGRAPH MORLEY BAER

10. Residence, Orinda. Architects: Charles W. Moore; Associates Danlyn Lyndon, William Turnbull & Richard Whitaker.

The problem was to design a bachelor house of an area limited by law to 700 square feet on a site studded with large oaks and bay trees. To insure against too small a scale, eight 11-foot Tuscan columns of solid fir were used. Sliding plywood and glass doors on barn-door hardware open half of each side of the house. Wood framing was employed with plywood roof and walls, texture interior and brick floor on concrete slab.

JURY COMMENT: "A very spirited solution, and, to some, the most interesting and individual house to come up for judgment. A clean break from the regional tradition. The interesting use of columns and interior volumes of Baldachino-type forms gives the building a poetic and imaginative quality."

Judith Lamare
500 N Street, Apt. 1403
Sacramento, CA 95814

September 5, 2014

Scott Johnson
City of Sacramento Environmental Review
Response to NOP for Sacramento Commons

Re: Issues in the Environmental Review of Sacramento Commons

Background. The Sacramento Commons project is part of a four block “super block”, assembled and originally planned for development by the City’s Redevelopment Agency. The condominium building in which I am an owner (Bridgeway Towers at 500 N Street) was also part of that design. The complex mixes high rise and low rise, rental and ownership units, with large trees and open lawns, and many pleasing views, including views of the Capitol Tower pool area. This has produced a densely populated area that also is very livable and sociable, and maintains its value very well, in large part because of the presence of an urban forest with large canopy trees. This forest and associated low-rise apartments are proposed to be removed by the project and replaced with three massive high rise buildings, three midrise buildings and two large six story parking garages.

City of Sacramento is known for its trees and tree canopy. Removal of a significant portion of the urban forest in downtown Sacramento is a significant impact that should be thoroughly analyzed for direct and indirect impacts.

The NOP fails to recognize this impact. The NOP at 2-13 states that the proposed project would remove up to four Heritage Trees for construction and up to an additional six Heritage Trees depending on the final locations of buildings. Four City Street Trees would be removed” The NOP fails to mention hundreds of other trees that would be removed. It does no quantitative analysis of the before and after impact of landscape changes in the 11 acre project area.

The City has invested for decades to become one of the most recognized and honored urban forests in the United States. The City and other public and private organizations continue to invest to enhance the urban forest. This project would remove a significant forested area of downtown with the promise of adding concrete and wood structures for new housing downtown that can be met in other on other properties that are presently blighted or vacant, treeless lots. The EIR should thoroughly evaluate the impact, mitigation measures and the likely outcome of mitigation measures compared to the “no project” alternative. The analysis should consider the conditions and time required to replace large canopy trees and the likelihood that this could be achieved when high rise and mid rise buildings dominate and shadow the site.

Sacramento urban forest makes Top 10 list

BY MATT WEISER, SACRAMENTO BEE

February 5, 2013

Sacramento's urban tree canopy has been named one of the 10 best urban forests in America.

The distinction was announced Tuesday by American Forests, a nonprofit group based in Washington, D.C. That city also made the group's list of 10 Best Urban Forests, along with Austin, Charlotte, Denver, Milwaukee, Minneapolis, New York, Seattle and Portland.

The selections were based on an in depth survey funded by the U.S. Forest Service that included independent data gathering and a review by a blue-ribbon panel of forestry experts. Among other things, winners demonstrated a sustained investment in their urban forests, participation by local nonprofits and citizen.

In Sacramento, the investment includes a city forestry staff that plants and maintains trees along sidewalks, roads and in parks. The Sacramento Tree Foundation and Sacramento Municipal Utility District, plus a small army of citizen volunteers, also plant some 13,000 trees annually on private property, both to beautify the city and save energy by providing shade.

"Today's urban forest is the result of an early vision, and the leadership and stewardship of many people who realized the value and beauty trees bring to a community," Jerry Way, director of public works for the city of Sacramento, said in a statement.

Sacramento's commitment to its urban forest is so strong that it formally calls itself the "City of Trees." By some estimates it has more trees per capita than any major city in the world, including Paris.

For more information about the 10 Best Urban Forests, visit:
<http://bit.ly/14P4tYB>.

Ample evidence exists that trees and tree canopy have significant health benefits. Removal of the Capitol Towers and Villas Tree Canopy and hundreds of trees on site will have unmitigated negative health impacts for residents and workers in the area. There are approximately 750 residents in the three towers that will remain in the superblock and many workers that visit the forested area regularly. They, and those who succeed them when they leave, will lose these health benefits of the existing forest. Please review the following articles that describes the health benefits of tree canopy.

Viewpoints: More trees, better health

By [Cindy Blain](#)

Special to The Bee

Published: Sunday, Aug. 17, 2014 - 12:00 am

When the temperature heads into the triple digits here in the [Sacramento Valley](#), people walk on the shady side of the street and park their cars under trees whenever possible. They know trees make life more comfortable, but do they know trees help make them healthier?

Research connecting trees and human health was almost nonexistent before 2000 and has increased dramatically since – and the findings are remarkable.

At the [Sacramento Tree Foundation](#), we have gathered a growing body of evidence on how trees significantly impact our health and well-being. Trees provide such a complex symphony of [health benefits](#) that it is sometimes hard to isolate the various ways they help make us healthier. All this is in addition to providing the oxygen necessary for life on this planet – which we take for granted with every breath.

Here are just four ways that trees are making our lives better beyond providing cooling shade:

- Trees directly affect our health by reducing blood pressure and stress levels.

“If you have chronic stress, you are at risk of getting sick more often, for staying sick longer, and for dying sooner than your colleague who doesn’t have as much stress as you do,” Bill Sullivan, a University of Illinois professor, [said at a Sacramento Tree Foundation](#) conference on health and trees this year.

Taking a different tack to reach the same conclusion, research by Geoff Donovan of the U.S. Forest Service reveals a significant increase in cardiovascular disease in communities that lost large tracts of urban forest due to [climate change](#) and emerald ash borer infestation.

- Trees filter and capture [air pollution](#) from cars.

Evergreen, needle-leaf trees are most effective as natural air filters near high-traffic roadways. Several studies have shown that ultrafine particulate matter is especially dangerous for our health as these particles are so small that they penetrate human tissues.

- Trees increase the walkability of neighborhoods.

Living in a neighborhood with more trees has been tied to higher physical activity levels. Regular walking and biking have many health benefits such as

reduced obesity, diabetes and cardiovascular disease.

- Trees and green spaces bring people together to chat and play, leading to stronger social ties.

Trees have long been associated with gathering spaces as they provide outdoor “architecture” as well as shade, natural air conditioning and aesthetic appeal. Stronger social ties are also linked to reduced stress, increased well-being and longer life.

Some of these findings were recently echoed in a study launched by the Sacramento Tree Foundation. The goal of our [Green Prescription study](#) was to see if there are correlations between neighborhood tree canopy cover and a variety of health outcomes for urban residents in our region. The study used health data provided by UCLA’s [California Health Interview Survey](#), the largest state health survey in the nation, reaching 50,000 Californians every two years.

Using regression models, the preliminary results of the study show that there are positive relationships between trees and physical and mental health. Specifically, the greater the tree canopy, the more physical activity, better social cohesion and less adult obesity and asthma in a community.

A fascinating part of the Green Prescription study used statistical modeling to extrapolate the expected health outcomes of adults in two hypothetical neighborhoods with differing amounts of trees.

One neighborhood had a tree canopy of 18 percent and the other 28 percent. Income, education, home ownership, race and other socioeconomic factors were statistically controlled in order to provide a comparison of identical populations.

The results are quite compelling – in fact, they will inspire you to grab your shovel and start planting trees.

In the community with 28 percent canopy cover, we would expect to find 18 percent less obesity and 20 percent less Type 2 diabetes, as well as 11 percent more vigorous physical activity. Obesity is a major factor in many of the chronic diseases becoming so prevalent in the U.S., which means any reduction in obesity – even 5 percent – has incredibly important health implications.

Another, more controversial finding of the predictive modeling is 10 percent less asthma in the neighborhood with higher tree canopy, when high traffic roadways are factored into the analysis.

This is especially notable because asthma has a complicated relationship with trees. Trees significantly impact respiratory health by capturing large amounts of air pollution and by cooling the air, yet certain tree species also exacerbate asthma due to the allergens they produce.

At the Tree Foundation, the evidence from these recent studies on the health benefits of trees has led us to redouble our efforts to carefully plan, plant and nurture more trees – preferably large trees – in all of our urban and suburban communities.

Cindy Blain is research and innovation director for the Sacramento Tree Foundation

Title: Tree and forest effects on air quality and human health in the United States

Author: Nowak, David J.; Hirabayashi, Satoshi; Bodine, Allison; Greenfield, Eric.

Year: 2014

Publication: Environmental Pollution. 193: 119-129.

Key Words: Air pollution removal, Air quality, Ecosystem services, Human mortality, Urban forests

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Abstract: Trees remove air pollution by the interception of particulate matter on plant surfaces and the absorption of gaseous pollutants through the leaf stomata. However, the magnitude and value of the effects of trees and forests on air quality and human health across the United States remains unknown. Computer simulations with local environmental data reveal that trees and forests in the conterminous United States removed 17.4 million tonnes (t) of air pollution in 2010 (range: 9.0-23.2 million t), with human health effects valued at 6.8 billion U.S. dollars (range: \$1.5-13.0 billion). This pollution removal equated to an average air quality improvement of less than one percent. Most of the pollution removal occurred in rural areas, while most of the health impacts and values were within urban areas. Health impacts included the avoidance of more than 850 incidences of human mortality and 670,000 incidences of acute respiratory symptoms.

The EIR should quantify the health and other impacts of removal of hundreds of trees on site.

Losing tree canopy and large numbers of trees in the city can have significant cost increases for city government and residents in years to come. The US Forest Service Urban Forest Research Center found property values increase and municipal services (e.g. road maintenance, storm water management) costs decrease with tree canopy. The EIR should assess the relative loss of tree canopy and permeable ground cover, and not simply point to the remaining street trees and new landscaping benefits as the NOP does. Please review the following scientific information on this topic.

Title: Effects of street tree shade on asphalt concrete pavement performance

Author: [McPherson, E.G.](#); Muchnick, J.

Date: 2005

Source: Journal of Arboriculture 31(6): 303-310

Publication Series: Scientific Journal (JRNL)

Description: Forty-eight street segments were paired into 24 high-and low-shade pairs in Modesto, California, U.S. Field data were collected to calculate a Pavement Condition Index (PCI) and Tree Shade Index (TSI) for each segment. Statistical analyses found that greater PCI was associated with greater TSI, indicating that tree shade was partially responsible for reduced pavement fatigue cracking, rutting, shoving, and other distress. Using observed relations between PCI and TSI, an unshaded street segment required 6 slurry seals over 30 years, while an identical one planted with 12 crape myrtles (*Lagerstroemia indica*, 4.4 m [14 ft] crown diameter) required 5 slurry seals, and one with 6 Chinese hackberry (*Celtis sinensis*, 13.7 m [45 ft] crown diameter) required 2.5 slurry seals. Shade from the large hackberries was projected to save \$7.13/m² (\$0.66/ft²) over the 30-year period compared to the unshaded street.

The following graphic summarizes this study:

THE RESEARCH QUESTION:

Is there an inexpensive way to slow the rate of deterioration of streets and extend the time between treatments? We thought there was, so we asked the question: Is the condition of pavement on tree-shaded streets better than on unshaded streets – all other things being equal? And...the answer is YES.

During our research in Modesto, CA, we found that an unshaded street segment required 6 slurry seals over 30 years, while an identical one planted with small-crowning trees required 5 slurry seals, and one with large-crowning trees required only 2.5 slurry seals. We also found that the shade from the large-crowning trees was projected to save \$0.66/ft² over the 30-year period compared to the unshaded street.



The benefits of shade from large-stature trees compared to small-stature trees illustrate the value of investing in large-stature trees.



As pavement conditions deteriorate, maintenance and repair costs become increasingly more time intensive and costly.

More shade means more time between repaving. 20% shade on a street improves pavement condition by 11%, which is a 60% savings for resurfacing over 30 years.

SHADED ASPHALT IS CHEAPER ON THE BUDGET

Assuming slurry seal applications cost \$0.19/ft², and this price remains fixed over a 30-year period, each application will cost \$829 per street segment. A typical segment was 125 ft. by 35 ft. We found that the cost of maintaining the unshaded street segment over 30 years was \$4,971, while the cost of maintaining the pavement on the street segment with small-stature trees was \$4,142, and on the street segment with large-stature trees was only \$2,071. Thus, shade on the street segment with large-stature trees will reduce costs for repaving by \$2,900 (58%) over the 30-year period compared to the unshaded street. Shade from the small-stature trees is projected to save only \$829 (17%).

Road engineers have long recognized the economic importance of maintaining optimum levels of pavement condition. For example, in Modesto the average lifespan of a shaded residential street is 40 years. Pavements that are well maintained last longer and ultimately require less maintenance. In addition, as pavement conditions deteriorate, maintenance and repair costs become increasingly more expensive.

It was evident from our results in Modesto that greater tree shade was associated with better pavement condition. **Shady streets are happier streets.**

SCENARIO	SLURRY SEALS	TOTAL COST (\$)	SAVINGS (\$)
Unshaded	6	4,971	
Small trees	5	4,142	829
Large trees	2.5	2,071	2,900

Table 1: Savings per unit pavement surface for shaded vs. unshaded street segments over 30 years (area = 4,375 ft²).

Title: Municipal forest benefits and costs in five U.S. cities

Author: [McPherson, E.G.](#); Simpson, J.R.; [Peper, P.J.](#); Maco, S.E.; Xiao, Q.

Date: 2005

Source: Journal of Forestry. 103(8): 411-416

Publication Series: Scientific Journal (JRNL)

Description: Increasingly, city trees are viewed as a best management practice to control stormwater, an urban-heat-island mitigation measure for cleaner air, a CO₂-reduction option to offset emissions, and an alternative to costly new electric power plants. Measuring benefits that accrue from the community forest is the first step to altering forest structure in ways that will enhance future benefits. This article describes the structure, function, and value of street and park tree populations in Fort Collins, Colorado; Cheyenne, Wyoming; Bismarck, North Dakota; Berkeley, California; and Glendale, Arizona. Although these cities spent \$13– 65 annually per tree, benefits ranged from \$31 to \$89 per tree. For every dollar invested in management, benefits returned annually ranged from \$1.37 to \$3.09. Strategies each city can take to increase net benefits are presented.

Urban Tree Canopy (UTC) Assessments A new generation of remote sensing and GIS technologies have spurred UTC assessments for urban forest planning and management. This top-down approach was applied in San Jose, CA, where the council proposes to plant 100,000 trees by 2022. The [San Jose Urban Forest Inventory and Assessment](#) found that the annual ecosystem services and property values for the current urban forest provide \$239.3 million in benefits. The city contains 2.1 million potential tree planting sites and by estimating the benefits of planting 100,000 trees, it was found that the benefits would increase almost 7% to \$255.8 million annually. The city is using the report as a baseline for a proposed study of climate change impacts on the urban forest. This knowledge is especially important in the San Francisco Bay area, where increasing temperatures and fluctuations in precipitation might cause salt intrusion from rising sea levels. The FS study has helped the city of San Jose see the big picture and what they need to do to prepare for the changes to come.

(<http://www.fs.fed.us/psw/programs/uesd/uep/>)

The Capitol Towers and Villas site was designed with trees and landscaped open space to provide park areas for central city dwellers and workers. The City's agreement with the Capitol Tower and Garden Apartments developer required no more than 20 percent of the superblock to be built. Full mitigation of the removal of this open space is needed to reduce impacts to less than significant.

The application would remove multiple acres of park-like forested space while tripling the population. The parklike areas of the site intended for development should be quantified and the loss fully mitigated. No provision is made in the draft PUD to offset this loss and

additional need for open space and recreation area with nearby park space of a similar character.

Meanwhile the City has proposed a general plan amendment reducing the requirement for park mitigation for new buildings in the central city.

“The 2035 General Plan proposes modification to the Park Acreage Service Level Goal from 5 acres per thousand residents to 3.5 acres outside the Central City and 1.75 per thousand residents within the Central City.”

The project cannot rely upon city policies regarding park service level goals to fully mitigate for impacts of the project.

The EIR should carefully document the current amount of open space in the project area, separately identifying the amount of that space which is open street level parking lot and how much is landscaped open space. The EIR should consider that the landscaped open space was designed as a “parklike setting” for downtown residential living. The loss of this landscaped open space, which acts as park space in this location, is a loss to nearby workers and remaining residents on the site, Capitol Towers (206 units), Bridgeway Towers (135 residential units) and Pioneer Towers (204 residential units) and should be quantified and mitigated because the prior city approved redevelopment project was deliberately designed to contain its own park space. The EIR should consider the impact of the loss of the pool to Capitol Tower residents as a loss of park space for those residents and visual aesthetics to the community.

Existing Trees Were Essential to the Design of Capitol Towers and Garden Apartments. Will tree protection now be abandoned by the City?

The record assembled by Sacramento Modern on the history of Capitol Towers and Villas contains a wealth of communication among the owners, architects, planners, the City and the construction team about **the crucial value and the protective treatment of the onsite and on street trees**. Exemplary of this discussion is a letter from Donn Emmons of Wurster, Bernardi and Emmons Architects, on October 27, 1959. In this letter to Robert Bradford of the Sacramento Redevelopment Agency, Emmons notes that the project was designed to make best use of city street trees, and that their removal “would seriously affect the appearance and possibly the success of the project.” He notes also that “In the Capitol Towers Project, buildings, parking areas and malls have been arranged to save and make use of the existing trees. . . . We see no great problems in saving them.” [emphasis added] In closing, Emmons says “We feel that they are an important part of Sacramento’s heritage and deserve to be kept.”

The record shows that existing trees on site were so important to the Capitol Towers and Garden Apartments design that no tree could be removed from the site without the direct authorization of the lead landscape architect, Lawrence Halperin. The General Conditions of the Specifications for the Capitol Towers project also included a penalty to the contractor of \$1,000 per tree lost through “damage caused by carelessness or lack of

sufficient protective measures.” (letter dated April 17, 1959, Donald Ray Carter to Wurster, Bernardi & Emmons)

The record is replete with correspondence about the potential effects of demolition on existing on site trees and the measures to be taken to prevent harm and ensure survival during the demolition and construction process. The EIR should fully consider and mitigate for impacts of demolition and construction of the proposed application in this heavily wooded site.

The EIR should disclose impacts on wildlife. Among the impacts of the proposal are elimination of a lush urban forest with associated wildlife. The foresight of the landscape architect has created a signature public space in the Central Business District of Sacramento while providing habitat for birds. This forested residential community provides a linkage for both people and birds, between the riparian riverfront (Sacramento and American River parkways) and Crocker Museum Park to the west, to Capitol Park to the east, to Cesar Chavez Park to the north, and to Southside Park to the south. Both resident and migrant birds use the area, including black phoebe, robin, mourning dove, Anna’s Hummingbird, house finch, Nuttall’s woodpecker, goldfinch, cedar waxwings, red-tailed hawk, Swainson’s Hawk, scrub jay, flicker, yellow-rumped warbler, bushtits and others. The wildlife are supported by the forest and are enjoyed by the residents.

Alternatives analysis is needed. The City should consider alternatives that would avoid destruction of the urban forest resource, utilizing building and site design shaped to preserve and protect the existing tree resource as was done when the City Redevelopment Agency undertook its redevelopment over 50 years ago. Among the alternatives that should be considered should be one that envisions building on present surface parking lots, minimizing intrusion of new construction into already built and landscaped areas.

The City should correct the significant deficiencies in the arborist report submitted with the application and should not rely upon this report for the EIR.

Kennedy-Wilson engaged Dudek to prepare an arborist report on the project site. Flaws in the Arborist’s Report and related documents make it impossible for City decision makers to fully assess and understand the tree resource and its history and the impact of the proposed project on this resource. The aesthetic impact of the forest is completely ignored in this report. Specifically,

The Dudek arborist report:

1. provides no inventory of trees on site. (Though the proposed Tentative Subdivision Map, submitted by Kennedy-Wilson, is required to show this information, it does not).

2. presents no analysis or graphic documentation to explain its conclusions about what trees will be preserved when construction is complete or to enable the public to determine how the proposed project footprint will affect the existing tree resource. The

project concept plan indicates building coverage of areas where the arborist claims trees can be preserved.

3. fails to disclose the leaf surface to be removed, the number of trees to be removed, and the number of trunk inches to be removed by the project. It completely ignores the loss of tree canopy and its consequences.

4. fails to disclose that at least 19 trees are located in the public pedestrian easement, specifically designed by the original landscape plan as key elements of the open space in Capitol Towers and Garden Apartments superblock (which includes Pioneer and Bridgeway Towers as part of the design). Documents in the record indicate that the owner of Capitol Towers and Villas is required to maintain the pedestrian easement as designed.

5. does not consider that the groupings of trees approved for the Capitol Tower and Garden Apartment projects by City Redevelopment Agency could be determined to be heritage trees as defined by City ordinance. This is particularly the case with the two groupings in the pedestrian right of way and one next to the sunken garden portion of the pedestrian right of way. [“Any tree, grove of trees or woodland trees designated by resolution of the city council to be of special historical or environmental value or of significant community benefit.” (Ord. 2008-018 § 3; prior code § 45.04.211)] **Arguably the approval by the City of the redevelopment project and its design over 50 years ago establishes a special historical and environmental value for these tree groupings.**

6. is woefully inadequate in recommended mitigation for loss of heritage trees (1 24 inch boxed tree to mitigate for each lost heritage tree). A 1996 draft EIR for a similar project required **four** 24 inch boxed trees be planted on site for each heritage tree removed.

7. ignores the trees along the southern boundary of the Bridgeway Tower property whose roots and branches would be damaged by demolition, grading, and/or construction activities. These trees and potential impacts to them are completely ignored by the arborist’s report. No mitigation is included to protect them or to offset loss.

8. the Tentative Subdivision Map fails to comply with City Ordinance 16.21.060 which requires that Tentative Maps show all existing trees and easements.

There are well over 200 trees on and around the proposed Sacramento Commons project. Most of these are not heritage or street trees, but are large and mature and provide an impressive tree canopy. I recently counted 279 in the project area and along the street bordering the project.

In a 1996 EIR inventory, 204 were identified, including 21 heritage trees and 29 street trees; this inventory seems to have ignored the group in front of the sculpture wall as well as the trees along Seventh Street in front of Capitol Towers and its parking garage. (1996 EIR Capitol Towers Development Concept, Chapter 7.4, Plant Life based on 1993 city arborist inventory.) A 2008 Tentative Subdivision Map prepared for Bond

Company shows 191 trees on site (22 on the pedestrian easement) and 41 street trees on the periphery for a total of 232. (Copy appended.)

Dudek notes only that there are 57 “protected trees” (18 heritage trees and 39 city street trees, of which 6 also are heritage trees). It performs no inventory (no tree tags) or analysis on the remainder and makes no estimate of the impact of removing most of the trees from the site. Nor does the report identify any trees intended to be preserved other than three heritage trees on site and 35 street trees. We measured several trees not identified by Dudek as heritage that were at or near the size requirement.

The statement that seven of the fifteen heritage trees that might be removed could be saved is seriously deceptive. Review of the conceptual maps of the proposed project, and visual inspection, shows that the seven that "may require removal" are within the footprint of proposed structures, or so close to the edge of proposed structures that they would need to be removed due to the extensive removal of root and crown structure needed to make way for the proposed structures.

Also of particular concern is protection of all trees **in and designed in relationship to the pedestrian easement** which is appurtenant to all the properties in the superblock, not just the applicant's portion. This issue is ignored by Dudek and is an aesthetic impact.

Removal of trees protected by city ordinance is an environmentally significant impact and it is of concern that the project likely will likely remove 15 heritage trees (trunk circumference of 100” or more) from the site (saving only 3) and 5 city street trees along the periphery. However, **in the historical context of this project, the removal of over 200 other trees, most of them mature and with large canopies, is highly significant as a loss of historic and aesthetic resource and should be avoided and all loss fully mitigated.** The NOP does not recognize these losses.

More specifically, the tree groupings that are part of the design of the pedestrian easement should be retained and protected from construction impacts to retain the historic design and aesthetics of the pedestrian easement. This includes:

1. the heritage trees in and next to the pedestrian easement – numbers 58, 59, 66, 67, 68, 104, 106, 73, 76, 77, 78;
2. the line of 8 trees between Capitol Towers and its pool (these would appear to be former street trees along (O Street) and other trees along this easement between 6th and 7th streets;
3. the 12 plaza trees at the intersection of what was 6th and O; and
4. the four trees of the same species and age surrounding the sunken garden south of Bridgeway Towers, just west of 6th street.

Project Application Conflicts with City Policies and Guidelines related to open space, sunlight, light, urban forest and related issues.

Below are listed various city policies and guidelines which are in conflict with the project under review. The EIR should acknowledge and analyze these conflicts.

- Neither the NOP, the previous staff report nor the draft PUD address the amount of open space that will be retained on site, nor do they compare this amount to the Central City Design Guideline for Open Space.
- As mentioned above, the Tentative Subdivision Map does not conform to City Code 16.21.060
- As mentioned above, the Dudek arborist report (2014) does not recognize special status tree groves as required by Ord. 2008-018 § 3; prior code § 45.04.211.
- City Central City Urban Design Guidelines state on Page 2.2-18 “New development should be responsive to historic resources. New development should take special care to ensure that the scale, form and materials used relate positively to adjacent historic buildings.” The plaza and pedestrian easement, the existing towers, and the tree resource are all part of the history of this superblock, assembled by the City and designed by renowned architects. The proposed PUD and TSM ignore and devalue these resources. Examples: building to within 40 feet of existing tower walls; removing the Capitol Tower pool; not protecting and preserving all heritage trees; not protecting and preserving the tree groupings pertinent to the pedestrian easement; building over the pedestrian easement.
- Central City Urban Design Guidelines Page 2.2-14 Urban Forest Urban Design Recommendations
 1. A primary objective of the City shall be to preserve and enhance Sacramento’s urban forest.
 2. Ensuring the health of the urban forest requires implementation of guidelines for selection of species, protection of root zones and tree canopies, and replacement and revitalization.
 3. The urban forest needs to be considered strategically as a design element that significantly contributes to the form, character and identity of the Central City, as well as to the social and economic well-being of the Central City.
 4. The role of the urban forest in addressing the City’s sustainability goals and as part of the City’s “green” infrastructure needs to be fully explored and implemented for its potential benefits to energy reduction and air and water quality enhancement.
 5. Street tree planting programs should be implemented to maximize shade coverage of streets throughout the Central City.

The project application ignores the strategic importance of the current urban forest on site, would remove more than 200 healthy, large trees with no mitigation, would not conserve all heritage trees on site, and fails to assess the value of the tree resource to be lost.

- **Urban Forest Management Plan for City of Sacramento (1994)** is ignored by the project applicant and his arborist, Dudek. It says in part:

(on page 82-83)

Air Space

No building facade is permitted within a 10 foot radius, measured from the outside edge of a tree

trunk for the first two stories of a building. Setbacks for buildings over two stories in height shall be a minimum 18 foot radius as measured from the outside edge of the tree trunk. Alternative planting locations, such as islands in the parking lane, may be considered adequate to meet air space setback requirements (Figure 33. Tree Protection and Setbacks: Air Space).

Page 83

Solar Radiation

Setbacks are required between buildings and for courtyards within a building which allow a minimum of four hours of direct solar radiation to every tree on any day of the year. This setback requirement must be coordinated with those for soil area and air space and may require setbacks greater than those minimums to achieve the solar radiation requirement (Figure 34. Tree Protection and Setbacks: Solar Radiation).

This guideline is ignored in terms of its relationship to the trees along the southern boundary of the Bridgeway Tower property.

• **1996 Capitol Towers EIR**

A prior EIR for a project on this site found that impacts on the tree resource were significant and not all impacts could be mitigated.

• **The Central City plan** has policies that are also contradicted by this application. For example:

CC.HCR 1.1 Preservation. The City shall support programs for the preservation of historically and architecturally significant structures which are important to the unique character of the Central City. (MPSP)

CC.ERC 1.1 Parks. The City shall develop three new neighborhood parks to provide park space within convenient access; a fourth neighborhood park may be needed in the vicinity of Newton Booth School in the event the school site is lost for open space use. These parks should be small (approximately 1 acre), have neighborhood-oriented activities, and their development should not involve removal of existing sound housing stock. (MPSP/SO)

Experienced observers have noted that replacement trees are not growing as fast or as large as the street trees removed, thus leading to cumulative loss of canopy over time even when tree loss is mitigated. The EIR should investigate the likely value of replacement trees given constraints on tree growth in today's downtown environment rather than assume that a tree planted mitigates for a tree removed. The EIR cannot assume that trees planted as part of the development can mitigate for or replace the value of the trees removed and should document any unmitigated impact. Trees planted in the shade of large buildings will not have the sunlight and space to achieve size and robustness of trees that have spent 50 to 100 years on this site.

Sincerely,

Judith Lamare Judith Lamare, Ph.D.

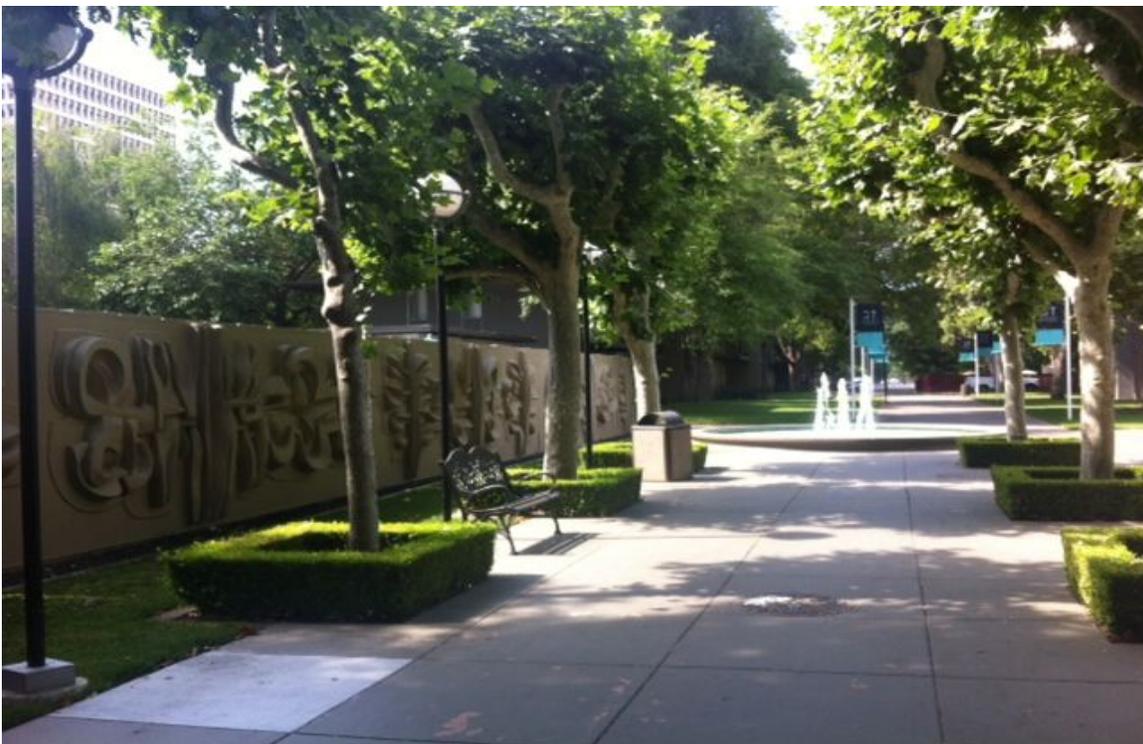
c. 1964 photograph of Capitol Towers and Garden Apartments looking south from N Street. Pioneer Tower (on P) was built in 1974 and Bridgeway Tower on N was built in 1980. Note mature trees on site that were protected during construction.



Canopy views from Bridgeway Towers looking south at Pioneer Towers and (bottom picture) Capitol Towers.



Line of trees planted along pedestrian easement (O Street) as part of original landscape plan. Tree grouping at 6th and O “plaza” area designed by Lawrence Halperin. Arborist report does not mention preservation of these trees.



Northern end pedestrian easement (6th Street), “sunken garden” surrounded by grove of trees planted as part of the original landscape plan. Kennedy-Wilson concept plan shows this location as part of 7-8 story midrise apartment structure. This area is permanently preserved through easement.



Judy Kay Stanley
Pioneer Tower Sacramento Commons Committee
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AMENDED COPY

September 1, 2014

PROPOSED SCOPE
ENVIRONMENTAL IMPACT REPORT
“SACRAMENTO COMMONS”

Please consider accepting my proposed subject items for the Sacramento Commons Environmental Impact Report (EIR). They are as follows:

Aesthetics

On-site visual resources will be specifically identified, including geologic features and vegetative groupings that are of significance as seen from key viewing areas. All applicable previous environmental studies and relevant reports will be reviewed, verified, utilized to the extent feasible, and referenced as part of the aesthetic section.

Americans with Disabilities Act

Assure compliance with federal, state and local governmental building codes regarding the Americans with Disabilities Act in all exterior and interior walkways, ramps, elevators, etc..

Asbestos and Lead

Asbestos and Lead Containing materials and emergency hazardous response.

Average Daily Traffic

Average daily traffic during construction period and through increased residency of Sacramento Commons. Average travel speed. Traffic impact studies included with King's Arena project impact and control studies. On-site traffic circulation studies. Traffic calming plans. Need stoplight mid-block across 7th Street to Light Rail and Bus Station (8th & O).

Building Code Compliance

Full compliance with all federal, state and city building and Mmax earthquake codes and guidelines. Adhere to technical quality control review documents and quality assurance

guidelines. Periodic and final governmental reports are to be filed with State of California and City of Sacramento as outlined in EIR.

California Clean Air Act

Adhere to the California Clean Air Act and ambient air quality guidelines. Pay particular concern to construction dust and particulate matter in the air.

Cultural Resources

Native American, Japanese, Chinese and other cultural resources investigation.

Emergency Services

Emergency response and inspection access for both fire and police departments.

High Rise Buildings

Much discussion from Pioneer and Bridgeway Towers has been about the wind-tunnel effect between the high rises, loss of view and light in our residences, as well as the density with increased temperatures from the concrete surfaces.

Historical Resources

Areas (current buildings and landscape) of potential effects to historical resources. Review California Register of Historic Preservation.

Landscape

Visual impact assessments.

Lighting

The proposed lighting plan will be reviewed for consistency and with applicable city policies.

Major Investment Study

A major investment study- analyze range of building phases and residencies. Need proof of profitability at each phase of development to avoid empty lots and community eye sores.

Noise Abatement

Noise abatement during and after construction and increased traffic.

Parking

At present most parking spaces are taken by government employees. It is extremely difficult to locate resident and guest parking for Pioneer Tower. Adding 1,300 residences, and if exorbitant fees are charged to the tenants, street parking will be non-existent. In 2016 when the King's Arena is completed we may lose more parking due to reorganizing the flow of traffic and/or people wishing to avoid the high cost of arena parking.

Safety

All federal and state construction-site guidelines will be maintained, not only for the builders, but for the residents and general public.

Soil/Ground Gradation

Review and assess soil and ground gradation and drainage for over-all project completion stages.

Utilities

Water resources, waste water, sewage, electricity and gas. Will the “super block” be taken off the State Capitol’s electrical grid? If so, it is the best and most reliable electrical service in Sacramento.

Wildlife

Environmental assessment of present and migratory wildlife, endangered species, and present and proposed habitat loss. This includes butterflies and hummingbirds.

It is difficult to convey the immense appreciation we resident’s hold for the Capitol Tower and Villa Apartments aesthetic appeal. We are blessed with a quiet garden that is filled with beautiful wildlife and charming apartments. The atmosphere is welcoming and friendly.

In conclusion I have taken these comments from Pioneer Tower residents, as well as possible items that should be included in the Scope of Sacramento Commons Environmental Impact Report.

Thank you.

Judy Kay Stanley
Pioneer Tower Sacramento Commons Committee Chair
Pioneer Tower Residents’ Council

September 4, 2014

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Cc: Scot Mende, Principal Planner
David Kwong, Planning Director
Councilmember Steve Hansen

**Re: The Sacramento Commons Project (P14-012)
Comment in response to the Notice of Preparation of an EIR**

Dear Mr. Johnson,

I am an owner and resident of a condominium in Bridgeway Towers, a 15-story 143-unit condominium building which is immediately adjacent to the project site. Owners and residents will be heavily impacted by the project. This letter incorporates herein by reference and supplements comment letters submitted on the previous NOP dated April 8, 2014, and the current NOP, by Neighbors of Capitol Towers and Villas, Sacramento Modern, Judith Lamare, and others.

This letter also incorporates my two emails to Scot Mende, City of Sacramento, July 17, 2014, and July 7, 2014, ATTACHED hereto, titled "Sac Commons: existing pedestrian easements."

1. The NOP fails to comply with law (CEQA Guideline 15082(a)(1) and must be revised and recirculated.

An NOP must include sufficient information describing the project and potential environmental effects to enable meaningful responses. At minimum the information shall include a description of the project and probable environmental effects of the project (CEQA Guideline §15081(a)(1). A copy of the initial study may be sent with the notice to provide the necessary information. (CEQA Guideline §15081(a)(2)).

a. Failure to provide the proposed tentative map

The Initial Study, but not the NOP, discloses that the project includes approval of a Tentative Subdivision Map. However, the proposed Tentative Map is not shown in either the NOP or Initial Study. The Initial Study shows a proposed “Parcel Diagram” at page 2-9, which provides very little of the information which must be included in a tentative map. A tentative map must show existing conditions at and around a proposed subdivision site. (Government Code §66424.5(a).) More specifically, the Sacramento City Code requires that a tentative map depict and identify all existing and proposed easements on the property, all of the trees and shrubs currently on the property, the location and width of proposed building setback lines, location and certain information as to existing utilities, sanitary and storm sewers and water mains, and locations of all existing pedestrian ways. (Sacramento City Code §§16.24.060 H, K, L. and N.)

It is impossible for responsible agencies and the public to make meaningful comments on NOP for this project without disclosure of the locations of all of those elements and the specific information required by City Ordinances on the proposed tentative map.

b. The NOP and Initial Assessment fail to disclose that portions of the buildings proposed by the project would be unlawfully constructed on existing recorded non-exclusive pedestrian and recreation easements for the benefit of and appurtenant to all of the properties in the 4-block area, including Bridgeway and Pioneer Towers.

The NOP and Initial Assessment are deficient for failing to disclose the existing recorded nonexclusive easement for pedestrian and recreational use, for the benefit of and appurtenant to all of the properties in the 4-block area, including Bridgeway and Pioneer Towers. SEE the ATTACHED emails by Jim Pacht to Scot Mende, Principal Planner, dated July 17 and July 7, 2014, which discusses this easement in more detail.

The NOP and Initial Assessment are deficient for presenting a project diagram (“Proposed Project”), p. 2.7 of Initial Assessment which is impossible to build as shown because it includes proposed structures which unlawfully encroach onto the existing easement.

AECOM was well aware of the easement when AECOM prepared the Initial Assessment. and was obligated to disclose that easement and the inconsistencies between the easement and the proposed project, even if Kennedy Wilson disputed it.

The fact that AECOM deliberately failed to disclose the existence of the easement raises disturbing issues as to the integrity of the entire document.

c. The NOP and Initial Assessment fail to disclose that over 200 on-site trees would be eliminated by the project.

The Initial Assessment mentions the existence of 50 trees that qualify as protected trees (either heritage trees or City-owned street trees), but deliberately failed to disclose that there are over 200 trees site on site that would be eliminated by the project. Many are quite large, approaching heritage tree size. The proposed removal tree removal has been a subject of major controversy and AECOM is well aware of the issue.

Separate comment letters on this NOP presented by Judith Lamare and Neighbors of Capitol Towers and Villas explain why these trees are environmentally beneficial and state in detail why the elimination of these trees would have significant detrimental impacts. AECOM at minimum has the ethical obligation to honestly disclose the existence of these trees, provide information about the trees, and disclose that these trees would be removed to construct the proposed project. Maps showing the location of the trees are available and could easily be updated by a current survey. The DEIR for the

The 1996 DEIR for the Capitol Towers Development Concept Plan, which did not go forward, correctly recognized the environmental significance of the entire on-site resource, analyzed it, and prescribed mitigation measures for removal of any on-site trees.

AECOM's decision to not disclose even the existence of over 200 on-site trees raises – as well as its failure to disclose the existing easement, discussed above – raises very serious issues as to the credibility of all of its environmental review documents. What else did AECOM choose to not disclose in its Initial Assessment? What will AECOM choose to not disclose in its EIR for this project?

2. Increased sewer flows

The NOP states that the existing sewer infrastructure is “generally undersized for managing sewer flows in this area” and that the applicant would be required to pay into the combined sewer system development fee program. However payment of a fee mitigates nothing unless there is reasonable fact-based assurance that the necessary infrastructure improvements will be implemented in time to accommodate anticipated additional sewage flows. As far as I know there is no such assurance.

When will the necessary sewer improvements be implemented, how will they be paid for, and who will pay for it? Will construction of this project go forward before the sewer improvements are implemented.

Adding additional sewage flow from 1200 additional units into a sewer system that is “generally undersized for managing sewage flows generated in this area” virtually guarantees that there will be sewage back-ups, particularly in wet weather. The EIR needs to honestly address this issue, including a discussion of “bottlenecks”.

Are the on-site and adjacent sewage lines sufficient to accommodate additional sewer flows generated by the project? If not, then the project should be required to replace them. The 1996 DEIR for a previous proposed project (which did not proceed) said that the sewage main between N and P St along the 6th St corridor was then at full capacity. It has not been replaced. The project should be required to replace that sewer main with one having adequate capacity to accommodate the project.

There must be analysis of cumulative impacts of additional sewage flows created by the project in combination with anticipated new sewage flows created by the proposed ESC (arena) project and other reasonably foreseeable new development in the area.

The EIR must disclose the potential frequency and impacts of sewage back-up incidents arising from additional sewage flows created by this project.

As mitigation, the project should not go forward and demolition permits should be withheld until there are improvements in place that would provide adequate sewer capacity to accommodate the additional sewage flows that would be generated by the project and also by other proposed projects in the area that would generate additional sewage flows in those sewer mains which would also serve proposed Sacramento Commons.

3. Stormwater collection

The Initial Assessment, p. 2-14, says that the project would construct on-site detention. However the project diagram shows no on-site detention facility and no available location of sufficient size to accommodate an on-site detention facility.

Where would the detention facilities be located? CEQA requires that the EIR shows the exact location of any proposed on-site detention facility, or honestly admit that there will be no on-site detention facility.

The Initial Assessment, p. 2-14, says that the trees surrounding the site (e.g.: City street tree) would intercept the rain and roots take in the water that soaks into the ground. In fact very little water would soak into the ground because most of the existing large lawns on site would be removed and most of the site covered with hard surface. Most of the stormwater can be expected to run off into the City storm sewer or back up on site and in the surrounding street. Stormwater back-ups have been a frequent occurrence even under present conditions during heavy rainstorms.

At present, the site landscaping, including lawns, help absorb stormwater. What will be the additional stormwater load when the existing landscaped areas are covered with surface buildings and concrete walkways??

4. Aesthetic Impacts

The Initial Assessment, p. 3.1-4 states that the project includes “replacement of existing surface parking with landscape area”, which is obviously false. See project diagram. Likewise, the Initial Assessment, p. 3.1-4 states that “most existing trees” would be protected, is also a blatantly false claim.

5. Fire protection

The California Fire Code requires hard-surface 26’ wide access roads to accommodate fire trucks using aerial equipment, including rescue ladders, alongside 7-story wood frame buildings. This requirement, if implemented, would eliminate a substantial part of the landscape proposed within the O St and 6th St promenades, per the “project diagram.” The EIR should show the exact location of proposed fire access roads.

6. Impacts of construction and demolition noise on nearby residents

The Initial Assessment says that construction will take six years, in phases. This means years of daytime demolition and construction noise and vibration, which would make life hell for those residents of Pioneer, Bridgeway, and Capitol Towers, and Pioneer House, who are at home during weekdays. Pioneer Tower and Pioneer House 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 in the project vicinity. The EIR should evaluate the effects of such noise on the physical and psychological health of residents of these buildings. The EIR should disclose the studies and research that exists regarding the impacts of prolonged construction noise and disturbance on adults, and particularly the elderly.

It is very challenging to try to market a condo or rent out a unit overlooking a massive noisy long term construction site. Most people are understandably reluctant to buy or rent an apartment or condominium within earshot of a major long-term construction site. The EIR should evaluate the effects of demolition and construction on the property values and vacancy rates of adjacent properties, including economic loss to those properties.

7. Urban Decay

Many have stated 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. A possible exception is Kennedy Wilson's partnership with a developer in Hawaii which recently completed a total of 32 homes ten years after its project was entitled (2004) for approximately 460 homes (most not yet built.)

There is strong concern that Kennedy Wilson's intent is to persuade City to approve maximum development entitlements and a tentative map that divides the property into six separate parcels, and then Kennedy Wilson would then install infrastructure, vacate the Capitol Villas apartments, level much or all of the site, and then try to flip the newly-entitled "shovel ready" parcels to others. Review of Kennedy Wilson's website shows that it usually does not own property longer than eight years. The result could be a large parcels remaining vacant for years awaiting "market feasibility", and possibly a large hole in the ground. This probable scenario has in fact occurred repeatedly in the community, albeit on a smaller scale - - there are a number of properties in and near the Central City Community Plan Area that were vacated, or vacated and demolished to make way for new projects, but instead remained vacant for many years, blighting entire neighborhoods. This would be a disaster for owners of nearby residential properties.

The hopeful assumption of the Initial Study that completion of the Entertainment and Sport Center (Arena) will create substantial additional demand for hotel rooms is speculative and not supported by facts. Existing downtown hotels have successfully accommodated overnight visitors attracted by events at the existing arena in Natomas and downtown Convention Center for many years. There is no fact-based evidence that demonstrates that relocating the Arena from Natomas to downtown would generate any substantial increase in overnight visitation or demand for hotel rooms.

Knowledgeable professionals in real estate and development have expressed strong skepticism that the project will be financially feasible anytime soon due to Sacramento's limited market for "upscale" (expensive) rental apartments and the fact that downtown's workforce is predominately comprised of mid-income government employees, secretarial and clerical workers, and service workers who cannot, will not, and need not pay rents at the "upscale" levels anticipated by the project applicant. There is plenty of reasonably-priced housing within a few miles of downtown, and much more proposed or in the approval process in the Central City Community Plan Area and nearby neighborhoods, including Railyard, River District, and West Sacramento's Bridge District. Most households with children will not and need not live in multi-family buildings in the Central City. People who can afford to pay the "upscale" rents anticipated by Kennedy Wilson often have incomes that enable them to buy or rent a house reasonably close to downtown.

It is significant that the applicant has not presented any evidence of demand for the project and has submitted no market study which supports the assumption that there will be market for the project during the time frame of the proposed phasing, or at any other times.

The EIR should address the impacts of potential future oversupply of multi-family housing.

The proposed “Project Phasing” presented on page 2-17 of the NOP is a fantasy which heightens concern that the outcome will be large areas of vacant land within the “superblock” accumulating weeds and rubbish while the present or future owner(s) await “market feasibility” and financing. The EIR should address possible environmental effects of urban blight that could result from this outcome.

City should require that there be no demolition of any parcel until Kennedy Wilson or its assignee shows proof of a 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 highly detrimental to neighboring residential properties such as Bridgeway.

8. Bicycle Parking Standards.

The draft PUD, p. 60, “assumes provision of dedicated bicycle storage spaces within units,” and does not provide for other dedicated storage space for bicycles. Experience at Bridgeway Towers has found that 1200 square foot apartments, averaging two occupants each, do not provide adequate storage space for bicycles, and that bicycles parked in a garage – even in a gated community garage – are highly vulnerable to theft. The default practice at Bridgeway is to park bicycles on unit balconies, which is not desirable but made necessary by lack of any dedicated bicycle storage space in the building.

The project should be required to provide secure, covered bicycle parking at a ratio consistent with current bicycle ownership in similar multi-unit housing complexes.

Thank you for the opportunity to comment.

Respectfully submitted,



James P. Pachl

ATTACHMENT p. 1

From: Jim Pachtl <jpachtl@sbcglobal.net>
Date: July 17, 2014 1:42:43 PM PDT
To: Scot Mende <SMENDE@cityofsacramento.org>
Subject: Sac Commons: existing pedestrian easements

Scot,

Sac Commons: existing pedestrian easements

The relevant documents, which I reviewed at Planning and which City kindly duplicated for us, are:

1. "Cancellation of Restrictions and Declaration of Restrictions" , 2/11/60, Recorder # Book 4009 Page 128, in an Attachment titled "Parcel Disposition Map," February 1960, shows the configuration of the parcels in the superblock at that time. There appears to have been one minor parcel line adjustment thereafter, not affecting Bridgeway..

2. A map designating the Tracts as numbers I through V is on the second page (labeled "ped easement") of Exhibit C of the "Contract for Disposition of Land for Private Development," 3/15/78, pertaining to the Bridgeway Towers property. Tract I is Cap Villas north of O St walkway, Tract II is Cap Villas south of O St walkway (including Cap Towers Pool), Tract III is Cap Tower and parking structure, Tract IV is Pioneer Tower, Tract V is now Bridgeway Tower.

NOTE the pedestrian easement on "Exhibit C" p. 2 of that parcel map.

3. A key document is "Conveyances and Covenants for Reciprocal Easements Between Tracts One and Tracts 2, 3, 4, and 5," Recorder Book 4118, Page 1, 9/16/60, which describes the Project Community Easement (Schedule E of the document). The document also refers to a "Land Disposition Agreement, 2/20/59" which I do not have.

This document states that the Trustees of Tract I (Cap Villas north of O St walkway) grant to the Redevelopment Agency a non-exclusive pedestrian easement right of way over that part of Tract One that is within the project community easement, and a non-exclusive right to use and enjoy for recreational purposes that portion of the easement. "Such easement shall be for the benefit and severally appurtenant to Tract Two, Tract Three, Tract Four, and to Tract Five." (page 2)

That pedestrian easement is described in Exhibit E attached to that document.

"The Trustees for Tract One covenant and agree, for themselves and for any successors and assigns of Tract One that they shall maintain in good condition at their own cost and expense any easement improvements, and that neither the Agency and Tracts 2, 3, 4, or 5 shall have any obligations to construct or maintain or contribute to the cost of such improvements.

ATTACHMENT p.2

A similar pedestrian right of way was assigned to Tract One over those parts of the easement within the boundaries of Tracts 2, 3, 4, & 5 (which includes a sliver of the south edge of the Bridgeway property). The right to use the swimming pool would be in accordance with a recorded lease between Tracts 1 and 2 which I do not have. Bridgeway has its own pool and has not sought access to the Cap Tower pool.

4, The Deed between the Agency and ownership of Tract III (Cap Towers) Recorder Book 4603, page 825, granted a similar easement on the Cap Towers parcel (walkways and patios) for the benefit of and appurtenant to Tracts IV, and V.

5. An unrecorded Contract for Disposition of Land for Private Development, 3/15/78, pertaining to Tract V (Bridgeway) includes Tract V's right in the easement, Exhibit C second sheet of that Contract. I do not have the Deed from City Redevelopment to the Bridgeway.

The Bridgeway building, garage and the land are owned by all of the Bridgeway condo owners in undivided interests, 1/143 share for each condo unit, as tenants in common. The Deed for each condo includes a 1/143 undivided interest in the Common Area, which includes all the structures and land. The BTOA Board does not have authority to dispose of the land nor the power to agree to terminate Bridgeway condo owners rights in an easement for the benefit of and appurtenant to Bridgeway. The signatures of all owners of an interest in land held in tenancy in common is required to pass title.

Termination or abandonment of the easement could occur only if City, Kennedy Wilson (successor owner of Tracts I, II, and III), all of the Bridgeway condo owners, and owner of Pioneer Towers agreed to terminate the easement. At no time did Bridgeway condo owners or its Board terminate or abandon any part of the easement.

KW has proposed that a 7-story structure be permitted south of Bridgeway which would cover that part of the pedestrian easement surrounding and including the sunken garden. Interestingly, the conceptual diagram of the proposed 2008 Bond project respected that easement. It appears also that part of a similar proposed 7-story building immediately north of Pioneer would intrude onto that part of the pedestrian easement north of Pioneer House and west of the 6th St walkway.

These proposed structures would prevent pedestrian access on and recreational use of those parts of the easement, and therefore the project must be redesigned to avoid intruding onto or otherwise impeding the pedestrian and recreational easement granted for the benefit of and appurtenant to Tracts IV and V, now known as Pioneer and Bridgeway Towers.

Jim

ATTACHMENT p.3

On Jul 7, 2014, at 11:19 AM, Jim Pacht wrote:

Scot,

Attached is the proposed tentative subdivision map drafted by Nolte for the Bond-AIGGRE project, submitted March 27, 2008. It was submitted to the City for the Bond project, whose application was withdrawn in 2008.

The map shows a large irregular pedestrian easement depicted by diagonal lines and multiple captions identifying it as "Parcel 4, nonexclusive pedestrian right of way per book 4118 page 1 (to be abandoned)." In fact the easement was not abandoned or otherwise terminated

Please note that the easement includes the existing open space lawn area immediately south of the Bridgeway Towers fenceline, as well as a sliver of Bridgeway property immediately south of Bridgeway's fenceline (between Bridgeway fenceline and a E-W walkway). Using depicted ground features as references, Jude and I measured the area as being 47 feet wide measured southerly from the Bridgeway fenceline, and 83 feet long measured from the west edge of the existing 6th St walkway.

This easement incorporates a similar open space lawn area immediately north of Pioneer Tower, which I have not measured.

Comparison of the diagrams of the proposed KW project with the easements shows that the portions of the KW project mid-rises would unlawfully eliminate non-exclusive pedestrian access onto the two open space grass areas which are subject to the existing easement.

Copies of the documents which created this easement are in the City files which Jude and I reviewed a few weeks ago. I will follow up with references and page citations to the documents. The Bridgeway and Pioneer Tower properties are designated as beneficiaries of the easements, which are appurtenant to those properties. For that reason, no portion of the easement can be terminated or otherwise deemed abandoned except by agreement of City, KW, and the owners of the Bridgeway and Pioneer Towers properties, and KW cannot place structures upon or otherwise terminate the non-exclusive pedestrian access granted to the Bridgeway and Pioneer Towers property.

Jim

-END -

J. D. Rowell
500-N-Street, Apt. 504
Sacramento, CA 95814
September 5, 2014
jdr.1@comcast.net

Scott Mende, Principal Planner
City of Sacramento
Third Floor
300 Richards Blvd.
Sacramento, CA 95811

Dear Mr. Mende:

Here is more about why Sacramento Commons should not be built.

Dividing Sacramento Commons for construction is just too risky. With several owners, Kennedy Wilson would get out of the problems of actual construction, but with, no doubt, a nice profit. Apparently, that is the usual SOP for Kennedy Wilson.

If possible, it would be nice to determine the reaction of local developers to plans like Sacramento Commons. That is plans which are divided among several developers, but with the overall concept for the plan must be adhered to for the plan to "work". If any of the developers wants to, or simply does make changes from the original plan, how can that developer be required to stay with the original plan, or be fined or punished somehow?

So again I say, Sacramento Commons will destroy Sacramento's unique high density residential area in downtown Sacramento. It should not be built.

Sincerely,



J. D. Rowell

Scott Johnson

From: ckella@comcast.net
Sent: Friday, September 05, 2014 3:32 PM
To: Scott Johnson
Cc: Scot Mende; Roberta Deering; gretchen steinberg; Pachl, Jim; Lamare, Jude; Stanley, Judy; Julie; Green, Kathleen; Kimberly Anderson; kentoncard [REDACTED]; kanderson [REDACTED]; Brian Sehnert; George Salerno; kentoncard [REDACTED]
Subject: Sacramento Commons- Response to NOP
Attachments: SacCmmns_NOPresponse_ck090514.pdf

Dear Scott,

Attached please find my response to the NOP for the EIR for Sacramento Commons. Incorporation of these issues, options for analysis, and related analytical approaches and considerations into the EIR preparation would be appreciated. The suggested analysis is not all inclusive--it is a starting point, or means of reference as to level of detail needed. As you are well aware, an appropriate market and housing needs study will compile a number of analytical tables in order to fully ascertain housing needs, demand, supply, household formation rates, and related factors to be considered for trending.

An amendment to my comments: the run-out of relocation costs to rental differentials (including transportation costs) should be made for 3.5 years in order to represent comparability to the URA.

Thank you for kind consideration,

Carr Kunze

CARR KUNZE
835 Commons Drive
Sacramento, CA 95825
(916) 375-9644

September 5, 2014

Scott Johnson, Associate Planner
City of Sacramento
Department of Environmental Planning
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Response to the Notice of Preparation of an EIR for the Proposed "Sacramento Commons" Project (P14-012) (SCH# 2014042032)

Dear Mr. Johnson,

Please accept this Response as a supplement to my letter Response of May 12, 2014 to the prior NOP for this proposal.

Please note as well that I fully embrace the comments of Sacramento Modern in their Response of September 4, 2014 to the preparation of the EIR for this proposal. I will add selected findings of my own to the historical context below.

Aesthetics and Cultural Resources

In addition to my earlier comments and those of SacMod, I note that Wurster Bernardi and Emmons were the leaders of the mid 20th century of what came to be recognized as the Bay Area Regionalism (or as properly, Northern California Regionalism) movement in architecture, variants of which continue to this day. Importantly, Capitol Towers and Garden Apartments, represent not only a remarkably comprehensive environmental design for the era, a planning first in the residential urban renewal context of California, but also an important extension of this movement's work into market rate, multifamily housing interpreted for Sacramento's and the Central Valley context.

Any loss of the underlying plan, its asymmetric and thereby informal axial orientations in its principal spaces and secondary, informal, community spaces, together with its significant architectural character, features and tree cover would be a loss to the City, its visitors, to architects, and related urban design professionals for reference and study in the future. Few cities in the US have such significant works of masters such as these, and have succeeded in retaining the types of urban spaces that were created by the urban renewal process and planning efforts of that era (Capitol Towers being unique in the character of such spaces). Whereas, European cities and planned communities of England, Germany (Hansaviertal, Berlin), and Scandinavia have understood

and preserved their planning masterpieces of this era, when a hopeful world recovered from WWII with new ideas and humanistic principles for its cities.

In its analysis of Options, SacMods options 2) (build elsewhere) and 3) (add density [minimally] but only to the extent that it would be consistent and respectful of the architecture, landscape, and master design), should be considered and the evaluator should further consider:

- Denial of the PUD and rezoning.
- Acquisition of the property by the City for sale to a non-profit, or structure such a sale to a non-profit (CADA or similar), utilizing historical tax credits, and to the extent necessary, low income housing tax credits (LIHTC's) for retaining as further referenced below any households with incomes less than 60% of AMI who may presently reside at the property. Other funding and financial resources should be investigated to the extent needed.

Land Use & Planning

Please refer to my earlier Response of May 12, 2014.

The proposed development is already 'sustainably' oriented, provides a housing resource for moderate income workers, disabled, and senior households, and is thereby transit friendly enabling current households to walk and bike to work. The proposal is a perversion of these principles to the extent that it causes displacement of households away from the urban core, making them more reliant upon and consuming more transit or auto travel. The notion of transit friendly development should be that which is more removed from the central city, yet is proximate to bus and light rail (or within in easy biking and walking), such as the Railyards, R Street Corridor, and Township 9.

The original planned development including Pioneer and Bridgeway Towers, was conceived as a whole. Its intent was that of a PUD, though the zoning category likely was not conceived at the time. By restructuring that intent today, the City would be inferring that any existing PUD could also be restructured, and intensified—violating the open spaces and planning that existing residents and purchasers understood to be sacrosanct. The City would be putting its citizens and all PUD residents on notice that this potential would thereby exist.

Noise Please see my comments of May 12, 2014. The continued, physically damaging impacts of noise over extended periods on existing residents in the area and the residents of Pioneer Towers in particular should be evaluated.

Parks and Recreation

In regards to my NOP Responses of May 12, 2014, please include in measures of tree canopy losses due to the subject proposal, an analysis of the losses that the city, in contradiction to its tree-scape principles, incurred in the recent re-

development of the State's Central Plant adjacent to this site, at its location bounded by 7th, Q, 6th, and P Streets.

The current proposal continues these losses with all of their negative environmental consequences noted by others, only to replace this loss with tokenism in the form of so-called 'vest pocket' parks—sensible where nothing existed before, but a sham when replacing existing treescape.

Population and Housing

The Housing Element and master planning process have not allowed for the losses from the housing stock and the impacts on moderate-income households that displacement caused by the proposal would result in. Recent major national housing studies (cf. Harvard Joint Center for Housing) have noted the mounting impacts of such recent losses on the rental housing stock and its moderate and lower income households.

Sacramento Commons has the potential of displacing as many households in its original four-block area as had been displaced in the original redevelopment of Capitol Towers. This would have the effect of displacing a substantial number of households but without any of the benefits that would be otherwise available to them in a direct governmental action. While this displacement may be phased in the KW proposal, its consequences of breaking up an established community and dislocation of persons with limited resources in a time when rents are escalating at rates substantially disparate to increases in incomes (see recent joint white paper by Sacramento Housing Alliance and California Housing Partnership Corporation)* would be comparable to the negative devastations wreaked by earlier urban renewal.

Under a governmentally sponsored redevelopment effort of the scale proposed by Kennedy Wilson at Sacramento Commons (Capitol Towers and Garden Apartments), a substantial amount of analytical effort would be required to determine the displacement impacts of any such redevelopment together with a relocation plan to accommodate households proposed to be displaced. The City or by extension, the developer, would be responsible for compliance with the Uniform Relocation Act and would be required to fund the costs of moving households so displaced together with any differential between the cost of comparable, reasonably proximate housing that the household is relocated to

* "How Sacramento County's Housing Market is Failing to Meet the Needs of Low-Income Families", May, 2014. Go to www.chpc.org The trends shown in this paper are equally applicable to moderate and middle income renter households. The 'trickle down' effects of the development proposal, rather causes such displacement that would in fact be a "trickle-up" impact of increasing rent inflation, consequent further doubling-up of households and overcrowding, causing housing deterioration, and a demand for substandard housing elsewhere in the city.

and the lesser of 30% (including the cost of utilities) of the household's income or the rent of the unit presently occupied by the household. This cost differential would be required to be covered for up to 3 1/2 years.

In addition, the relocation plan would have to survey housing in the market area and demonstrate the availability of such housing proximate to the current property. Traditional redevelopment planning would have included the development of alternative housing suitable for relocation in the absence of such housing being readily available. No such planning has been included in the City's housing element.

By permitting Kennedy Wilson to undertake the redevelopment of the Capitol Towers complex while seeking to realize the upside economic development and tax benefits of renewal, the City would be abdicating its responsibilities to protect the interests of existing citizens that it would otherwise have had it been acting in a direct development or funding capacity through the application of any federal or state funds.

The promulgation of the Urban Relocation Act and its precedents stemmed from the dismal effects that earlier redevelopment efforts had upon defenseless citizens that were at the mercy of larger bureaucratic forces. Today, those forces take the guise of private efforts responding only to market conditions. However, the City has the power to either deny such development, to impose conditions, or end up being an enabler without regard to its other obligations to its citizens. Yet particularly when there are options available to the investor to develop without causing displacement, and when the economics of such a development is not only questionable, but may dilute other market making efforts that the city has engaged in such as Township 9 with direct, tax payer funded investments, the City has a fiduciary obligation as well as a moral obligation to avert the many environmentally negative consequences of this proposal.

As well, it should be particularly born in mind, that the federal National Environmental Protection Act, a national precursor to CEQA, was in substantial part brought about as a consequence of neighborhoods and persons having been uprooted by transportation and urban renewal actions without adequate consideration of alternatives to those impacts.

The Environmental Impact Statement to be prepared for Sacramento Commons should undertake at minimum, a survey to establish the impacts and potential resources that may need to be brought to bear to off-set such impacts. This survey and analysis should:

- Survey or have a verifiable basis for estimating the incomes of current residents to establish the proportions of income being expended on housing and measure their ability to pay in alternative housing available in the market and immediate sub-market.

- Survey rents and count of vacant units offered for rent in the CBD market area by unit size.
- Delineate the CBD/Downtown primary market area as that area bounded by the Sacramento River, the American River to the north, Alhambra Avenue to the east, and Broadway to the south. An area of some 2 miles by 2 miles, essentially the area commonly recognized as the 'downtown area' by RT, and one which is generally walkable within 20 minutes of the Capitol and much of the CBD.
- Establish estimates of the cost differential for Capitol Towers' households to remain in the downtown area. Measure the run-out of such costs over a two year period for all households that would be displaced. Note, that even though some households would not be immediately displaced, in an escalating rental market, the impacts will remain if not be further exacerbated even though phased. Under the K/W proposals, nearly all households would ultimately be faced with displacement. Nonetheless, this analysis would further delineate the extent of this impact.
- Survey rents of vacant units and the number of such vacant units offered for rent that are outside of the Downtown Area but which are within ¼ mile of transit stops.
- Determine the increased transportation costs incurred to residents displaced to such rental developments outside of the Downtown Area. See for reference recent analyses by CityLab utilizing HUD's Location Affordability Index (LAI).
- Establish the aggregate cost to the City or the developer were they to incur the obligation to offset such increases in costs of rent and transportation differentials being imposed upon displacees.
- Determine the number of housing units serving moderate income households (households comparable in income to those currently residing in Capitol Towers and Garden Apartments—roughly, those between 80% and 120% of median income, or brackets as reasonably estimated based on current rents), that have been built in the last 5 years.
- Determine the number of units currently in construction and planned that could reasonably be established as potentially serving moderate income households.

Income and Housing Units Surveyed should be bracketed in the following manner:

Number of Households	City Total	CBD/Downtown (Primary Mkt)Total	Secondary Market Area Total
< 50% of Area Median Income (AMI)	#	#	#
50% - 80% AMI	#	#	#
80% - 120% AMI	#	#	#
> 120% AMI	#	#	#

Again, this is the wrong concept in the wrong place when more appropriate revitalization of under-serving, poorly designed, and outdated office and other structures could be undertaken in areas immediate to the subject proposal.

Thank you for your consideration of these requests for incorporation into the analyses in the forthcoming EIR.

Respectfully submitted,



Carr Kunze

cc:

City of Sacramento Mayor and Council members
City of Sacramento Planning Commissioners

Scot Mendes, Principal Planner
Roberta Deering, LEED Preservation Planner

Gretchen Steinberg, SacMod
Darryl Rutherford, Sacramento Housing Alliance
Jim Pacht, Judith Lamar, and Neighbors of Capitol Towers and Villas, and
Bridgeway Towers Owners Association
Judy Stanley, Pioneer Towers resident's representative
Katherine Green
Julie Mumma, NO Sac Commons
Kimberly Anderson, AIA Central Valley
Anthony Veerkamp, SF Field Office, National Trust for Historic Preservation

J. D. Rowell
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September 4, 2014
jdr.1@comcast.net

Scott Mende, Principal Planner
City of Sacramento
Third Floor
500 Richards Blvd.
Sacramento, CA 95811

Dear Mr. Mende:

Sacramento Commons will destroy the unique residential area in downtown Sacramento created in the 1950s as a part of the re-development of Sacramento after WWII. As noted by others, it has large parklike open spaces, and many large mature trees, and also no street traffic running through it. All that will be destroyed by Sacramento Commons.

Such destruction will be the case even if Sacramento Commons is constructed entirely as shown in the plan, and that is unlikely. Planning includes dividing Sacramento Commons among six owners. So proper coordination among the owners so as to provide needed facilities, eg. parking, when and where needed, seems almost impossible.

In fact, Sacramento Commons is well suited to become another failed development, of which Sacramento has far too many now. Sacramento Commons will be detrimental not only to the area occupied by it, but also to the areas around it, and especially detrimental to the rest of the area in the original area created in the 1950s referred to above.

So again, Sacramento Commons will destroy Sacramento's unique residential area in downtown Sacramento. It should not be built.

Sincerely,



J. D. Rowell

P.S. I apologize for writing this letter on my very old portable typewriter. My computer is "out for repairs".



Post Office Box 1526 • Sacramento, CA • 95812 • (916) 444-0022

August 21, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department,
300 Richards Blvd., Third Floor, Sacramento, California 95811
Email: srjohnson@cityofsacramento.org

Re: Comments on the Sacramento Commons Project (P14-012) Notice of Preparation

Dear Mr. Johnson,

The Environmental Council of Sacramento (ECOS) supports infill development. However, certain livability and sustainability issues must be addressed in the environmental document to demonstrate that this property is appropriate for the proposed use.

Housing and Land Use

The environmental document should review the proposed project for consistency with policies relating to mix of housing types and providing housing for low income residents. The project intends to provide a “variety of housing types meeting the needs of a broad segment of the population” yet the current Mixed Income Housing Ordinance would not apply to this project. Neither would the proposed draft of the Ordinance, which exempts development with 40+ units per acre. We believe this is misguided. Density is not a substitute for affordability, and density alone does not ensure affordability for households of various incomes. Omitting regulated affordable units from the project will have severe impacts in terms of greenhouse gas emissions and social equity.

The project proposal correctly identifies the need for housing that is located near jobs, however, the benefits of added housing in an area with more jobs than housing are only realized if the type of housing created matches the type of jobs available. Too often mixed-use projects provide relatively expensive residential units above and relatively low-paying jobs in the neighborhood-serving retail beneath. New homes near transit, services and jobs best reduce greenhouse gases when they are affordable.

Transit areas such as the proposed project site tend to gentrify, pushing out long-time, lower-income residents who can no longer afford to live there. This in turn increases greenhouse gas emissions. Lower income residents who use transit at a higher rate than the general population are replaced by higher income households who tend to continue to own cars when they move into transit-oriented development. We cannot afford to displace lower income residents as transit-rich locations become more expensive to live in.

The proposed project will replace the existing neighborhood, which is already residential, dense and walkable enough to qualify as a transit priority project. Replacing residential units, even with units designed for the same income levels as the existing housing, leads to more expensive homes. Unless it is heavily subsidized, new housing is not as affordable as older housing. The environmental document should provide a review of the income levels the new residential units are expected to serve.

Trees

The project site contains green space that is important to the neighborhood, including heritage trees. Mature trees best absorb carbon dioxide and shade streets, reducing the urban heat island effect and encouraging walking. The environmental document should address the effect of the project on Sacramento's urban tree canopy.

Transportation and Circulation

The project site has excellent transit access and adequate street capacity for the proposed uses. ECOS is glad to see that the overall plan has been modified to accommodate a public way through the site, keeping it from being an obstruction to a walkable grid. There should be a study to see if the sidewalks, and particularly nearby intersections, can handle the presumed additional foot traffic. We understand that the applicant intends to place bike parking racks in the project. The environmental document should detail the number and location of these racks, to ensure that there is sufficient bicycle parking for both residents and customers.

In order to reap the maximum benefit from the site's proximity to transit, the parking ratios and strategies used by the project deserve careful consideration. Parking is one of the most important development issues influencing transit ridership -- as parking availability increases, public transportation ridership decreases.

The current residential parking ratios used by the project do not seem to reflect the project's transit assets. Sacramento Regional Transit's "Guide to Transit Oriented Development" recommends a parking ratio of .75 spaces per unit in the urban core/downtown, yet the project proposes using a ratio of 1 space per residential unit. Oversupplying parking in transit-oriented development harms housing affordability because it drives up occupancy costs, since parking is bundled with rent payments. Parking oversupply also encourages developers to build larger residential units in order to recapture the costs of building required parking. Lower parking ratios, particularly for residential units, should be considered and analyzed from a trip generation perspective.

Mixed-use development offers unique opportunities for innovative parking strategies. Unused parking spaces in residential development are rarely shared with other uses because of the desire to control access to the parking. This missed opportunity causes high rates of parking vacancy, particularly when the residential parking and the retail/commercial parking have different peak use times. We recommend the project pursue shared parking opportunities, in terms of legal agreements and design features.

Conclusion

ECOS want to see this development become a livable and sustainable community and the above comments are provided in that spirit. We would like to thank the City for considering the project via the standard CEQA process rather than a Sustainable Communities Environmental Assessment. We hope this extra level of project review will inspire the City and applicants to create the best possible projects. We believe that the issues raised above must be addressed and adequate mitigation measures identified in the Draft Environmental Impact Report. Thank you for providing the opportunity to comment, and please do not hesitate to contact us if we can provide further clarification.

Sincerely,

Ron Maertz

Ron Maertz
Land Use Committee Chair



September 4, 2014

Submitted by e-mail

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95881
E-mail: srjohnson@cityofsacramento.org

**Re: Notice of Preparation, EIR, Sacramento Commons Project
(P14-012) (SCH#2014042032)**

Dear Mr. Johnson:

On behalf of Sacramento Modern (SacMod), thank you for the opportunity to comment on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Sacramento Commons Project (Commons). As you know, SacMod has been observing the developments and discussions surrounding the proposed plans to demolish, reconfigure, and redesign parts of the historic district currently known as Capitol Towers — originally designed and constructed between 1958 and 1965 by Wurster, Bernardi and Emmons, Edward Larrabee Barnes, Vernon DeMars and Donald Reay, Lawrence Halprin, et al.

We appreciate the Department's agreement with our earlier assertion that the scope and magnitude of the proposed Commons project and its impacts, especially on an historic site, call for a full EIR. You may recall that other historic preservation groups — the National Trust for Historic Preservation, California Preservation Foundation, The Cultural Landscape Foundation, and Sacramento Old City Association — also agreed.

SacMod is a 501(c)(3) non-profit organization founded in 2010; we are dedicated to preserving modern art, architecture, and design in the Sacramento region. We do this by conducting home tours, bike tours, walking tours, film screenings, preservation campaigns, publications, and educating the public about modernism.

A 501(c)(3) non-profit organization dedicated to promoting, preserving and protecting modern art, architecture and design in the Sacramento region.

Gretchen Steinberg 4910 South Land Park Drive, Sacramento, CA 95822
gretchen@SacMod.org
SacMod.org

Capitol Towers is an iconic and irreplaceable example of mid-20th century architecture. In particular, the individual elements — the low-rise apartments, the high rise building, the sculptural wall by Jacques Overhoff, the original landscape features, the overall master plan (and its key position and contribution to urban renewal and redevelopment) — comprise a residential community that is not only a historic district but is unique and unlike any other neighborhood in Sacramento.

SacMod has submitted a nomination of Capitol Towers as a historic district to the National Register of Historic Places to the California Office of Historic Preservation. Please add [our full nomination](#) as an attachment in response to the NOP/EIR. Other details of interest regarding Capitol Towers can be found on our [website](#). The nomination was written by Flora Chou of Page & Turnbull in collaboration with SacMod, who conducted extensive research. We concluded that Capitol Towers is indeed a historically significant district. We gathered and evaluated much of the same and additional research as JRP Historical Consulting, LLC (JRP) — and offer our nomination not only as a relevant attachment in response to the Commons project but also as a peer review to JRP's historic evaluation.

Capitol Towers is significant under Criterion A in the area of Community Planning and Development as the residential component and inaugural privately sponsored development in Sacramento's first realized urban redevelopment area, the Capitol Mall Redevelopment Project. The initial construction of 92 garden apartment units, starting in 1959 and completed in 1960, represented the first private investment in Sacramento to replace the blighted neighborhoods demolished by the Sacramento Redevelopment Agency (SRA) under slum clearance. As SRA'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 example of urban redevelopment housing. Not only does its pedestrian-oriented design combine low-rise and high-rise buildings, integrated landscape features, and amenities for its residents, the design also maintains a strong urban presence while balancing privacy and community for its residents. Capitol Towers exhibited 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, Capitol Towers was the first redevelopment project constructed by many of its talented design team and reflects their social and aesthetic philosophies. In particular, Capitol Towers embodies the design and planning approach of Wurster, Bernardi, and Emmons applied to a large urban property, and is considered by Lawrence Halprin to be his first urban plaza.

The items set forth in the Draft Initial Study for Sacramento Commons dated August 6, 2014 must be considered in light of the neighborhood's historic status. It is not possible to extricate proposed design and planning issues from the historic resource issue. The

planned demolition and redesign of the historic district will have devastating impacts on numerous levels.

We are opposed to the actions listed in the August 6, 2014 Draft Initial Study and May 28, 2014 Draft Planned Unit Development Guidelines to:

- do a “makeover” of the historic Capitol Towers high-rise exterior;
- demolish the historic garden villas and ancillary buildings;
- modify historic landscape features;
- relocate the historic Overhoff wall;
- re-zone the historic district; and
- split the historic district into six separate parcels.

These actions would violate the codes and principles regarding historic resources set forth in:

- the [Secretary of the Interior Standards for the Treatment of Historic Properties](#); [“Preservation places a high premium on the retention of all historic fabric through conservation, maintenance and repair. It reflects a building’s continuum over time, through successive occupancies, and the respectful changes and alterations that are made.”]
- the [California Environmental Quality Act \(CEQA\) Guidelines](#); [14 CCR § 15064.5(b)(1) provides: “Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”]
- the [Sacramento 2030 General Plan’s Citywide Goals and Policies regarding Historical and Cultural Resources](#); [“Preservation of historic and cultural resources is important because cities with distinctly identifiable places and history are generally more livable for residents and more attractive to new businesses that sustain the economy. Preservation and adaptive re-use of historic structures also promote sustainability by reducing the need for new construction materials.”]
- and Chapter 7 (Cultural Resources) of the [Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy Program EIR](#).

The existing historic district has already proven to be a beautiful and successful example of a pedestrian and bicycle-friendly mixed-use community — which was designed at the human scale with open, park-like green spaces and gathering places.

The historic district is eligible for and should receive recognition by the City of Sacramento as a local landmark by placing the district on the Sacramento Register of Historic and Cultural Resources so that it obtains the proper stewardship it merits.

BACKGROUND

Kennedy Wilson (KW), a real estate investment services company, purchased the neighborhood mid-2012. In December 2013, KW presented their plans to demolish and rebuild parts of the neighborhood to increase density. KW has hired contractors, including AECOM (Architecture, Engineering, Consulting, Operations, and Maintenance) who is also involved in the Sacramento Entertainment and Sports Complex (Arena).

On February 18, 2014, SacMod board members attended a public meeting during which representatives from KW and AECOM discussed their proposed plans to develop the Capitol Towers neighborhood into “Sacramento Commons.” During this meeting, KW refused to have a meaningful dialogue with concerned residents of the neighborhood and community.

KW’s perfunctory meetings to announce the Sacramento Commons project without meaningful input and dialogue has resulted in opposition from neighborhood residents and the preservation community.

HISTORIC RESOURCES

As previously outlined, Capitol Towers is, in fact, a historic district worth preserving for future generations to experience and enjoy.

JRP’s historic evaluation was vociferously discredited by architects and professional historic preservationists during testimony at the [August 20, 2014 City of Sacramento’s Preservation Commission](#).

There are major problems with JRP’s analysis in their historic evaluation dated May 2014. JRP’s historic evaluation over-emphasizes the importance of minor design changes that Capitol Towers underwent during the seven years it took for the project to be completed. Not only is it normal for a large scale project to experience such changes over time, the argument is weak and irrelevant. A historic evaluation is supposed to study what was *actually built*.

JRP underplays the scope and relevance of the project by saying it was not the “best work” of the architects and designers involved and therefore lacks historic significance. JRP’s argument that the site lacks historical significance is far from accurate and refuted by various publications, including those accessed during JRP’s own research. For example, Wurster, Bernardi and Emmons considered Capitol Towers an important major work — so much so that it was one of 12 projects that WBE profiled in their 1967 company brochure highlighting the firm’s significant larger projects.

Clearly there is evidence to support that Capitol Towers is a significant architectural work. Capitol Towers was a collaboration among a talented, nationally renowned team

of master designers. It was an early opportunity to develop their ideas and approaches to reimagining an urban lot just as American city centers were being reconsidered and reconceived.

JRP's historic evaluation attacks the overall historic integrity of Capitol Towers without fully acknowledging that these changes over the last four decades are quite minor and involved necessary repairs and maintenance. Although changes have occurred to the property since the completion of the tower in early 1965, most alterations at Capitol Towers have occurred to minor component elements rather than to any major building or landscape features, spatial relationships, or urban design concepts. As a whole, Capitol Towers retains sufficient integrity of its urban design concepts, spatial organization, circulation patterns, primary residential buildings, and key landscape features to convey its significance as a historic district.

SacMod is not alone in our belief that Capitol Towers is indeed a historic district. Letters of support for our historic nomination of Capitol Towers to the National Register of Historic Places continue to pour in from local and national experts.

While KW has testified that they intend to retain the historic sculptural wall by Jacques Overhoff on-site, SacMod is very concerned that the wall is not adequately protected. We caution against any potential harm should there be an attempt to relocate it, and ask there be appropriate consults and studies conducted by experts should such an attempt be made.

The historic significance of the neighborhood is not just limited to buildings, structures, and landscaping. The neighborhood is a prime example of mid-20th century redevelopment and urban renewal national trends reflecting the early hope and optimism that well-designed progressive housing could revive deteriorating city centers. The neighborhood also embodies forward-thinking urban planning principles. The resulting design incorporated "open-space" planning with "mixed-use" — and has been car-free, pedestrian and bicycle friendly, and near a transportation hub from the onset.

Capitol Tower and Garden Apartments qualifies as a historic resource under CEQA. The EIR should treat the site as historic and evaluate feasible preservation alternatives that avoid or reduce significant impacts.

EXISTING NEIGHBORHOOD ALREADY MEETS TPP QUALIFICATIONS

The Draft Initial Study dated August 6, 2014 on page 1-1 defines the Commons project as "a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP). Pursuant to California Public Resources Code section 21155(b), a TPP must meet the following requirements: (1) the project must contain at least 50 percent residential use based on total building

square footage; (2) the project must have a minimum net density of 20 dwelling units per acre; and (3) the project must be located within one-half mile of a major transit stop or high quality transit corridor included in the regional transportation plan.”

According to our calculations, the existing historic neighborhood *already* meets the TPP qualifications. It therefore is of little significance that the Commons project espouses to achieve TPP goals. Public policy should not reward the destruction of one TPP site for the creation of another. The net effect would be an increase, not decrease, in greenhouse emissions (as opposed to developing a TPP in an otherwise noncompliant location).

The Commons project essentially seeks to avail itself of the benefits conferred on a TPP through the destruction of an historic and architecturally significant site that managed to achieve the goals and benefits of a TPP long before such classification was statutorily conceived.

Relevant to the Commons project’s goal of increasing density, SacMod is calling on the City to ask KW to disclose monthly occupancy rates since they purchased the property in 2012. This would be helpful in accurately determining the current density of the Capitol Towers neighborhood — which *already* has one of the highest density ratios in the city.

“INFILL”

The August 6, 2014 Draft Initial Study and May 28, 2014 Draft Planned Unit Development Guidelines characterize the Commons project as “infill.” SacMod believes this characterization is false and misleading. Of note, the City of Sacramento’s [infill strategy](#) objectives specifically acknowledge historic structures. When applied to historic properties, the actual context regarding “infill” includes actions such as preservation and adaptive reuse — not demolition and destruction of character-defining features of the historic resource.

“SUSTAINABILITY” AND “INNOVATION”

There is nothing less sustainable than destroying perfectly good, functional, historic buildings. Simply adding density after demolishing a livable community does not make a project more sustainable. Merely labeling a project sustainable and innovative does not necessarily make it so.

Many of the proposed concepts for the Commons would result in an increase of energy and resource consumption — and are simply a repackaging and reselling of attributes and amenities that already exist or can be further enhanced on the historic site.

PROJECT ELEVATIONS, PERSPECTIVES, SHADOW STUDIES

To date, the developers have only offered general idea boards with rudimentary plans and elevations, distorted perspectives, and no shadow studies. The public must be allowed to see what is being proposed and allowed a fair amount of time to provide input.

SacMod urges the City to require that KW produce more detailed visuals regarding the proposed project so the impact of buildings and mass in the historic district and areas adjacent to the district are well-understood. Current drawings show encroachments on an adjacent property's easements and other matters of architectural concern such as the creation of wind tunnels. These design matters must be addressed in order to have a meaningful EIR process.

Furthermore, it is imperative that these visualizations include hourly shadow studies so that the impact of the proposed buildings and mass are apparent to everyone.

TREES

SacMod's research indicates that extraordinary measures by the original design team were taken to preserve pre-existing heritage trees on site. The Commons project should not harm Sacramento's urban tree canopy, which is a vitally important contributor to cooling Downtown's microclimate. [Trees help remove pollution](#), which is an important public health benefit. In a recent article, the research and innovation director for the Sacramento Tree Foundation recently explained the [additional public benefits associated with our urban trees](#).

[Testimony from a former City of Sacramento Arborist for Urban Forest Services at the July 24, 2014 City of Sacramento's Planning and Design Commission](#) should receive full attention. The arborist warned that the Commons project, as planned, would create a substantial impact on the environment by creating an urban heat island. The removal of over 200 trees (including heritage trees) on site would result in the loss of oxygen and public health benefits. The arborist also pointed out that replacement trees have failed to thrive in other Sacramento developments and therefore are not an effective alternative/mitigation strategy.

Residents of the Capitol Towers neighborhood have contested the findings and note omissions in the Arborist's Report provided to KW by DUDEK dated May 30, 2014. We believe their claims require further investigation and resolution as part of the EIR process.

STEWARDSHIP

While the fate of the historic neighborhood is being decided, SacMod calls upon the City to ensure that KW proactively maintain and provide necessary repairs to the neighborhood so that “demolition by neglect” does not occur.

VIABLE PROJECT ALTERNATIVES

- 1) KW can embrace and respect the existing historic design and become an award-winning example of historic stewardship.

There are incentives available to Kennedy Wilson as the owner of the historic district. For examples of available tax credits and benefits please see http://ohp.parks.ca.gov/?page_id=25007. Once AB 1999 passes, the historic district could also receive additional tax credits <http://www.californiapreservation.org/state-tax-credit-coalition.html>

- 2) KW can build the project elsewhere in a vacant or available lot that needs enhancement, thereby fulfilling the true goals envisioned and promoted by TPP and infill policies.
- 3) KW can add density in a manner that is respectful to the historic design and original master plan and on a space that is not currently inhabited by a historic resource.

We understand that [Carey and Co.](#) has been retained to carry out the Alternatives Analysis that would take into account the cultural and historic resources on site. SacMod would like to have an opportunity for input during this analysis and recommends obtaining input from the Central Valley Chapter’s Board of Directors/ American Institute of Architects, who have also been following the CEQA process in relation to Capitol Towers/Sacramento Commons.

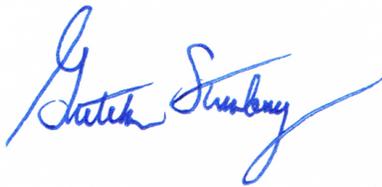
- 4) KW can meet most of the expressed objectives in the August 6, 2014 Draft Initial Study and May 28, 2014 Draft Planned Unit Development Guidelines by using already existing historic assets or by adding amenities to the existing historic assets. These objectives can be achieved by *enhancing* what is there, not destroying it.

As a matter of fact, the majority of ideas for improvements expressed by the applicant either already exist at the site or can be accomplished without demolition or destruction of the historic buildings, the historic structures, the historic landscaping, and the historic master plan. Demolition and/or alteration of these historic resources would be a significant and *avoidable* impact. There are many viable alternatives.

In closing, SacMod urges that the City deny approval of the Sacramento Commons project. In the excitement surrounding the Arena plans and consequent rush to densify downtown, this neighborhood has been inappropriately targeted. It does not make sense to destroy the most beautiful, functional, and successful residential community downtown. This historic residential neighborhood remains unparalleled in the architectural talent and planning principles it embodies even to this day. Furthermore, the historic district is mis-categorized as an "infill" project and already exemplifies the very core concepts the Commons project is seeking to achieve. The neighborhood is already walkable, livable and desirable; why ruin a perfectly nice place to live?

Historic buildings are our connection with the past and give our city character. Let's break the cycle of wasteful and needless destruction of beautiful and historic structures. Let's retain vibrant communities such as Capitol Towers that breathe life and a sense of place into our City.

Respectfully submitted,



Gretchen Steinberg, President, SacMod

In conjunction with the SacMod Board of Directors:

Dane Henas, Vice President

Nick Vinciguerra, Secretary

Zann Gates, Treasurer

Justin Wood, Director At-Large

Jon Hill, Director At-Large

cc:

Cassandra Jennings - Senior Advisor to Mayor Kevin Johnson, City of Sacramento

Steve Hansen - Councilmember, District 4, City of Sacramento

Angelique Ashby - Councilmember, District 1, City of Sacramento

Allen Warren - Councilmember, District 2, City of Sacramento

Steve Cohn - Councilmember, District 3, City of Sacramento

Jay Schenirer - Councilmember, District 5, City of Sacramento

Kevin McCarty - Councilmember, District 6, City of Sacramento

Darrell Fong - Councilmember, District 7, City of Sacramento

Kim Blackwell, Executive Assistant - Councilmember, District 8, City of Sacramento

Scot Mende, Principal Planner, City of Sacramento

Roberta Deering, LEED AP, Preservation Director

Shelly Willis, Executive Director, Sacramento Metropolitan Arts Commission

Anthony Veerkamp, Field Director, S.F. Field Office, National Trust for Historic Preservation

Brian Turner, Attorney, S.F. Field Office, National Trust for Historic Preservation

Sheri Freemuth, Sr. Field Officer, Western Field Office, National Trust for Historic Preservation
Charles Birnbaum, FASLA, FAAR, The Cultural Landscape Foundation
Cindy Heitzman, Executive Director, California Preservation Foundation
Melisa Gaudreau, AIA - Chair, Sacramento Heritage, Inc.
William Burg, President, Sacramento Old City Association
Brian Sehnert, AIA - Central Valley Board of Directors
Kimberly Anderson, AIA Central Valley Executive Director
Kris Barkley, AIA - Central Valley Chapter President / Dreyfuss and Blackford Architects
Raymond L. Thretheway, III, Executive Director, Sacramento Tree Foundation
Jim Pacht and Judith Lamare, Neighbors of Capitol Towers and Villas
Julie Mumma, NO Sacramento Commons Project
Darryl Rutherford, Executive Director, Sacramento Housing Alliance
Chris Holm, Project Analyst, Walk Sacramento
Jim Brown, Executive Director, Sacramento Area Bicycle Advocates
Jim Martone, Chief, Asset Management, Department of General Services
Craig K. Powell, President, Eye on Sacramento
Dennis Neufeld, Director of Research, Eye on Sacramento
Kelly T. Smith, The Smith Firm
Carr Kunze
Kathleen Green
Dan Pskowski
Phillip Guddeni

UNITE HERE



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Telephone (916) 564-4949 • FAX (916) 564-4950

September 4, 2014

Mr. Scott Johnson
Associate Planner
City of Sacramento
Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Dear Mr. Johnson:

Thank you for the opportunity to comment on the forthcoming EIR for the Sacramento Commons project. UNITE HERE Local 49 represents over three thousand hospitality industry employees in the Sacramento area. Given that the Sacramento Commons project may include a fairly large hotel, we are particularly interested in its potential positive and/or negative impacts on working conditions, the broader hospitality market, and quality of life for workers, neighbors, and other residents. Besides being hospitality workers, our members are residents of Sacramento, and many live, work, shop, or otherwise spend time in downtown Sacramento. As such, we are also interested in the wide-ranging environmental impacts that this hotel may have, as well as in ensuring adequate social services for the employees working at the hotel.

We believe the forthcoming EIR for the Sacramento Commons should pay close attention to the following potential impacts:

- **Traffic, parking, air quality, and greenhouse gas emissions:** Close attention should be paid to the impact of the hotel and any restaurants on the demand for parking spaces in the development and to the traffic likely to be generated by those elements of the project. In particular, hotel related traffic should be taken account in any analysis of trip generation and the portion of residents, customers, and visitors who are likely to drive versus using public transit. Accordingly, hotel traffic should be factored into the analysis of potential impacts on air quality and greenhouse gas emissions from the project.
- **Impacts on public transit, housing, child care, etc.:** There should be a full review of potential impacts of hotel and restaurant employees on the demand for public transit, housing, child care, and various public services and forms of public assistance in the area.
- **Health and safety:** Employment in hotels and restaurants can have significant effects on employees' health and safety. Many factors can influence these effects,

including design of workspaces and quantity of work. In addition, certain employment-related issues, such as staff shortages, which are common in hotels, can have significant effects on the health and safety of guests and the public. We request a complete understanding of the sponsor's plans with respect to these matters, and a thorough analysis of the potential impacts of these plans with respect to the health and safety of employees, guests, and the public.

- **Kitchen design elements:** Given the concentration of heat sources and dangerous equipment in hotel and restaurant kitchens, the design of such kitchens has a major impact on health and safety of restaurant employees. We ask that the design of the restaurant kitchens receive particular review and analysis.
- **Employee and delivery entrances and circulation:** Most hotels maintain separate entrances for employees, shipping/receiving, and guests. The EIR should provide a thorough understanding of the project's design with respect to ingress/egress, and the impacts of such design on pedestrian and traffic flow, and related environmental issues.
- **Passenger loading/unloading:** There should be a thorough examination of how the hotel element of the project will be designed for passenger loading and unloading – patterns which will be much different from the residential portions of the development, and which as a result will have different impacts on pedestrian and vehicular traffic flow.
- **Cultural resources:** The proposed demolition of the low-rise garden apartment units at the site may constitute a very significant, unmitigatable impact on Sacramento's architectural heritage, and this impact should be fully considered.

In addition, we believe the project is likely to have significant impacts on aesthetics, land use and land use planning, utilities and service systems, noise, and possibly other areas, all of which should be thoroughly studied.

Thank you for your attention to these issues. Please include us in all future communications regarding this project. I am the contact person for our organization and can be reached at the above mailing address, by email at thudson@unitehere.org, or by phone at 213-509-9114 (cell).

Sincerely,



Taylor Hudson
Research Analyst

Neighbors of Capitol Towers and Villas
c/o 500 N Street, APT 1403
Sacramento, CA 95814

September 5, 2014

Scott Johnson
City of Sacramento
Community Development Department
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Cc: Scot Mende, Principle Planner
Councilmember Steve Hansen

Re: Sacramento Commons Project (P14-012) Environmental Impact Report (EIR) Notice of Preparation (NOP) Additional Comments

Please include all of our comments submitted May 1, 2014. In addition, please add the following comments in response to the reissued NOP.

Analysis of Tree Resource, Impacts and Mitigation

There are over two hundred trees on this project site excluding the City street trees. This EIR report should address all trees 10-inches in diameter or greater. The current tree inventory compiled by Dudek & Associates lists just the City Street trees and nine, on-site heritage trees (per City ordinance Chapter 12.64 Heritage Trees). The City of Sacramento Urban Forestry Section is incorrect in their assessment that none of the other trees on site are afforded any protection and can be removed at the developer's discretion.

In 1959 when this project was started the abandonment of "O" & 6th Streets and creation of a pedestrian easement in their place required City approval. Retention of the existing City street trees along "O" and 6th Street was a requirement of the project. This is evident today in that some of the 2-story garden apartments were constructed very close to the trees on the site in 1959. Unfortunately, as original street trees have been removed replacement trees have not always been installed.

The landscape plan which included the installation of trees was one of the original **conditions of approval** for this large multi-unit housing complex. Therefore the Kennedy/Wilson project cannot unilaterally remove all these trees. Mitigation should be required for every tree removed which is not structurally unsound or failing in health.

The tree inventory for the Sacramento Commons project should include a list of all the trees on the site 10-inches in diameter or greater, their overall health & structure, dripline radius, and leaf surface area (LSA).

The **leaf surface area (LSA)** is the measurement of area of one side of the leaves in the canopy. Leaf surface area is a more accurate assessment tool to assess environmental impacts. Comparison of the project site under different alternative landscapes (no project, project, reduced project) should include LSA and not simply differences in number of trees because trees vary greatly in LSA and LSA is the key variable in providing the environmental benefits of trees. With information on existing and proposed LSA, the loss of environmental benefits can be assessed in terms of absorption of **carbon dioxide, ozone,**

nitrous oxide, sulfur dioxide, and small particle matter. One source to assist in quantifying these benefits is the USDA Pacific Southwest Research Station General Technical Report (GTR) -228 *Northern California Coast Community Tree Guide Benefits, Costs , and Strategic Planning (April 2010)* E Gregory McPherson, James R. Simpson, Paula J. Peper, Aaron M.N. Crowell and Quingfu Xias.

Another tree environmental benefit that should be quantified is **rainfall inception** or otherwise known as **bioretainment**. This is the storage of rainfall on leaves, branches and trunk. Following the rainfall event, the water is either evaporated directly to the atmosphere, absorbed by the canopy surfaces, or flows down to the ground. The US Forest Service Center for Urban Forest Research had determined “One large deciduous tree in coastal southern California reduces storm water runoff by over 4,000 gallons per year”.

The tree inventory should also include tree protection requirements and construction impacts to those trees which will be preserved and on the adjacent property.

Assessment of the cumulative impacts in the downtown area should be a part of the environmental impact analysis. In the assessment of the environmental impact for the loss of these trees the analysis should take into consideration all the downtown canopy loss which has occurred over the past ten years, and anticipated loss. Across the street from this site at 500 Capitol Mall where every single City Street tree was removed on Capitol Mall “N” & 5th Streets. For every tree removed that is less oxygen being produced and less carbon dioxide being sequestered downtown. Mitigation for tree removal should occur on-site or in the immediate area.

Alternatives Analysis

Please include in the alternatives analysis an alternative (in addition to “no project”) that would retain the existing 11 acres under one ownership, and permit no demolition in advance of specific project approval.



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

September 5, 2014

Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

VIA EMAIL to: srjohnson@cityofsacramento.org

Re: Scoping Comments, Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

On behalf of the National Trust for Historic Preservation, thank you for the opportunity to provide comments on the Notice of Preparation (NOP) of an environmental impact report (EIR) for the Sacramento Commons project. We are deeply concerned with the proposed project which calls for the demolition of 206 historic garden apartments at the Capitol Tower and Garden Apartments complex as well as substantial modifications to the residential tower and removal of designed landscaped areas. We encourage the City to analyze and approve an alternative to the project that does not result in the destruction of this important part of California's modern architectural heritage.

Interests of the National Trust

The National Trust for Historic Preservation was chartered by Congress in 1949 as a private nonprofit membership organization for the purpose of furthering the historic preservation policies of the United States and facilitating public participation in the preservation of our nation's heritage. 16 U.S.C. § 468. The National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. The Trust has field offices across the country including two in California (Los Angeles and San Francisco).

On May 12, 2014 the National Trust submitted a letter to your office voicing our objection to the preliminary determination of the eligibility of the proposed project for a Sustainable Communities Environmental Assessment. We are pleased that the City subsequently determined that this project would not be eligible for the SCEA based on the strong evidence that the project has the potential to cause a significant effect on a historic resource.

Historic Significance of Capitol Towers and Garden Apartments

SacMod, a Sacramento-based preservation organization, recently submitted a nomination to list the Sacramento Commons on the National Register of Historic Places to the California State Historic Preservation Office. That nomination is currently under review. A host of noted architects, landscape architects and historians share SacMod's assessment of the importance of this development and concurs that the project is eligible for the National Register of Historic Places.

Likewise, we believe the site has unique architectural significance based on the host of distinguished architects involved in its design and the site's association with the development of Sacramento in the dynamic mid-20th century. As noted in the project proponent's May 2014 Historic Resource Evaluation Report (HRER), Sacramento's West End "became the subject of the first post-World War II redevelopment project in California." The Capitol Tower and Garden Apartments were constructed in the wake of the Sacramento Redevelopment Agency's ambitious Capitol Mall project, and represented the only residential development in the fifteen block redevelopment area. The ensuing combination of high-rise tower and garden apartment in a park-like setting punctuated with art (in this case, Jacques Overhoff's concrete relief mural) was a unique development for California's capital city.

The Draft EIR should include a complete assessment of the proposed project and alternatives on the site as well as the surrounding neighborhood. The proposed demolition of structures, new construction (including parking structures to accommodate over 1700 vehicles, over 60,000 square feet of commercial area and a net increase of approximately 1,000 dwelling units) on existing open spaces integral to the historic site design, and removal of heritage trees, would cause significant and unavoidable impact on the cultural landscape.

Project Alternatives

As described in the NOP, two potential development options are proposed for the project parcel and will be analyzed in the EIR. Option 1 (Hotel Scenario) is planned as a 22-story mixed-use high-rise hotel and residential condominium development while Option 2 (No-Hotel Scenario) proposes an all condominium alternative, with ground floor retail and support uses. We believe that a robust array of project alternatives should be considered. Public agencies must "deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects." *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 40, 41; see also Public Resources Code § 21002, 21002.1. The range of alternatives analyzed should include those "that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects." CEQA Guideline § 15126.6(c).

No Project Alternative: As required under CEQA, the DEIR must include a "no

project” alternative that maintains existing conditions at the Capitol Tower and Garden Apartments site. CEQA Guideline § 15126.6(e). This existing residential development offers a mix of housing options that are carefully integrated into a landscape of private and public spaces allowing residents to interact with surrounding urban development while enjoying their own residential environment. The square footage, density, and proximity to a major transit facility already qualify this existing development as a Transit Priority Project.

Reduced Scale Alternative: The DEIR should include a reduced scale alternative that may include some densification of the Capitol Tower and Garden Apartments site but not to the extent proposed. This alternative should evaluate strategies to selectively add density in appropriate locations, but avoid inflicting permanent damage to the site’s historic features.

Standards-Compliant Alternative: The DEIR should include a preservation alternative that achieves a reasonable number of the project objectives while complying with the Secretary of the Interior's Standards for Treatment of Historic Properties. This alternative will analyze whether and where some infill construction and selective demolition and new construction could be appropriate within the identified cultural landscape. This alternative need not, and should not, exclude meaningful environmental improvements.

In evaluating the feasibility of all alternatives, the Draft EIR should note that the Capitol Tower and Garden Apartments already embodies the seven interlocking principles of the Sacramento Area Council of Governments Blueprint including compact development, housing and transportation choices, mixed use development, quality design and conservation of natural resources. Indeed, the existing Capitol Tower and Garden Apartments offer an outstanding example of what is prescribed by the 2030 General Plan for development in the CBD: a mixture of mid- and high-rise sited to positively define the public streetscape, public parks and open space areas within walking distance of local residents, broad sidewalks appointed with appropriate pedestrian amenities, and consistent planting of street trees providing shade and enhancing character and identity.

Furthermore, the Draft EIR must “analyze the greenhouse gas emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions.” (CEQA Guidelines § 15064.4.) The National Trust’s Preservation Green Lab has evaluated the environmental impacts of building reuse compared to demolition and new construction for a variety of building types, notably in our publication *The Greenest Building: Quantifying the Environmental Value of Building Reuse*. This study found that building reuse typically offers significant environmental savings over new construction -- even when that new construction is energy efficient. Indeed, building reuse can offer climate change savings and reductions in resource depletion when compared to new construction.

Conclusion

The Sacramento Commons project, as currently proposed, has the potential to cause significant and unavoidable impacts on historic resources that cannot be meaningfully reduced. The Draft EIR must acknowledge the significance of these resources and analyze alternatives that would accomplish most project goals without resulting in the destruction of a property that already meets many of the city's objectives and provides a living example of Sacramento's modern architectural heritage.

Thank you for the opportunity to review the NOP and to submit these scoping comments. Please contact Senior Field Officer Sheri Freemuth if you have any questions at sfreemuth@savingplaces.org or (415) 947 -0692.

Sincerely,

A handwritten signature in black ink that reads "Brian R. Turner". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

Brian Turner
Attorney
San Francisco Field Office



September 5, 2014

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811-0218
srjohnson@cityofsacramento.org

Subject: Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Sacramento Commons Project (P14-012)

Dear Mr. Johnson:

Thank you for the opportunity to comment on the subject NOP.

To assist the City of Sacramento in achieving the goals of its Climate Action Plan, every project should make it possible for its residents, employees, and visitors to safely and conveniently take more trips by bicycle. Therefore, the proposed project will cause a significant adverse effect on the environment if it will not adequately provide access by bicycle. Adequacy of bicycle access happens in three ways:

- Adequate bicycle parking – The project must comply with Sacramento’s requirements for short-term and long-term bicycle parking. We encourage the project to go beyond the basic requirements by providing bicycle parking that is noteworthy as an amenity of the project and therefore a selling point to potential residents and business occupants. For example, a state-of-the-art “bike station” can be included in the project to serve residents, employees, and long-term visitors with a secure, indoor, 24-hr accessible bike-parking facility; such a facility might also provide tools and supplies for minor bike repairs and servicing (e.g. flat repairs, tire inflation).
- Adequate bicycle access within the project – Because the project occupies 4 city blocks, internal access by bicycle will be critical. We request that bikeways be provided as part of the internal promenades along the 6th St and O St alignments through the site. These bikeways can be delineated by pavement-surface treatments to show cyclists where they should ride to avoid conflicts with pedestrians. Signage can be used to guide cyclists to long-term bike parking and to exits from the project to the surrounding neighborhood.
- Adequate bicycle access to the project site – The project is located adjacent to and near several important routes for bike access in downtown Sacramento (e.g. 5th St north to the Arena site and the Sacramento Valley Station and south to the R Street corridor, N Street east to the Capitol and midtown

and west to Crocker Art Museum and the Sacramento River Parkway). It will be critical for the project to ensure it enhances access for cyclists to and along these bike connections. For example, because the project will include abundant internal vehicle parking, protected bike lanes should be installed along the 5th and N Streets frontages of the project (see <http://nacto.org/cities-for-cycling/design-guide/cycle-tracks/one-way-protected-cycle-tracks/>)

The subject EIR therefore must address these three dimensions of adequate bicycle access. Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Brown". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke extending to the right.

Jim Brown
Executive Director

CC: Paul Philley, SMAQMD (pphilley@airquality.org)
Ed Cox, City of Sacramento Alternative Modes Coordinator (ecox@cityofsacramento.org)

Sacramento Commons EIR NOP Public Review Summary

- 08-01-14 Email sent to Commission Submit (CS) requesting the NOP Ad be published in the Metro News (City of Sacramento Official Paper) on August 6, 2014.
- 08-01-14 Email sent to CS requesting the NOP notice be mailed to the addresses on the mailing list provided.
- 08-05-14 NOP notice was mailed to additional list of addresses to ensure those who commented at the 7-24-14 PDC R&C meeting received the NOP.
- 08-06-14 The NOP was uploaded to the City CDD EIR webpage.
- 08-06-14 15 copies of the NOP along with the Initial Study were delivered to the State Clearinghouse and the NOC stamped.
- 08-06-14 The NOP was delivered to the Sacramento County Clerk's Office and stamped.
- 08-06-14 The NOP along with a CD copy of the Initial Study was sent by certified mail to agencies.
- 08-06-14 The Initial Study was uploaded to the City CDD EIR webpage.
- 08-06-14 An Email was sent out notifying of the NOP and Initial Study, to interested parties, City Staff, and Council Staff.

From: [Scott Johnson](#)
To: [Commission submit](#)
Cc: [Nancy Bennett](#); [Scot Mende](#); [Tom Buford](#)
Subject: Newspaper Ad for Sac Commons NOP
Date: Friday, August 01, 2014 11:54:28 AM
Attachments: [Newspaper Sac Commons NOP Ad.doc](#)

Nancy,

Please have the attached ad, for the Sacramento Commons NOP, run one time in the official newspaper (Metro News?) of the City on Wednesday, August 6, 2014.

Please let me know if you have any questions.

Thanks,

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-5842

From: [Scott Johnson](#)
To: [Commission submit](#)
Cc: [Nancy Bennett](#); [Scot Mende](#); [Tom Buford](#)
Subject: Notice Mailing for Sac Commons NOP
Date: Friday, August 01, 2014 11:54:25 AM
Attachments: [Sac Commons condensed NOP final.doc](#)
[Sac Commons EIR NOP Mailing List.xlsx](#)

Nancy,

Please mail the attached notice for the Notice of Preparation (NOP) of an EIR for the Sacramento Commons project to the addresses provided on the attached mailing list. The public review period for this NOP begins next Wednesday, August 8th.

Please let me know if you have any questions.

Thank you,

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-5842

NAME	ADDRESS	CITY	STATE	ZIP
500 Capitol Mall Llc	7423 Fair Oaks Bl 10	Carmichael	CA	95608
520 Capitol Mall Inc	2870 Gateway Oaks Dr 110	Sacramento	CA	95833
Alexandria Trust	500 N St 806	Sacramento	CA	95814
Arguello Martha/Gerald R Harris	620 Main St	Huntington Beach	CA	92648
Augustin Chad/Sandra	500 N St 1508	Sacramento	CA	95814
Baghestanian Maryam	499 Via Casitas 14	Greenbrae	CA	94904
Bariani Olive Oil Llc	Po Box 116	Zamora	CA	95698
Bariani Sebastian/Santa C Brignoli	9460 Bar Du Ln	Sacramento	CA	95829
Barnum Family Living Trust	Po Box 7610	Auburn	CA	95603
Berge Kimberly A	500 N St 1109	Sacramento	CA	95814
Black Robbie/Richard Bloom	500 N St 1006	Sacramento	CA	95814
Boyce Craig	83 Scripps Dr Ste 210	Sacramento	CA	95825
Bridgeway Towers Owners Assn C/O AMC	1401 El Camino Avenue, #200	Sacramento	CA	95815
Broheim Invs Llc	4645 Marion Ct	Sacramento	CA	95822
Broheim Invs Llc	4645 Marion Ct	Sacramento	CA	95822
Calif Public Employees Retirement Syst	400 Q St W2510c	Sacramento	CA	95811
Cathedral Pioneer Church	415 P St	Sacramento	CA	95814
Chalifoux Joseph/Sherri	5205 Marimoore Wy	Carmichael	CA	95608
Chalifoux Joseph/Sherri	500 N St 1503	Sacramento	CA	95814
Clark Mitchell R/Paula M	500 N St 1402	Sacramento	CA	95814
Collins Christopher M	500 N St 1003	Sacramento	CA	95814
Community College Association	4100 Truxel Rd	Sacramento	CA	95834
Cs360 Towers Llc	1000 G St 125	Sacramento	CA	95814
Cs360 Towers Llc	1000 G St 125	Sacramento	CA	95814
David Taketa Trust	3902 J St	Sacramento	CA	95819
Davis Judith G	500 N St 1606	Sacramento	CA	95814
Davis Richard T	500 N St	Sacramento	CA	95814
Devon & Francine Atlee Family Trust	1932 9th Av	Sacramento	CA	95818
Devon/Francine Atlee Family Trust	1932 9th Av	Sacramento	CA	95818
Dixon Scott W	500 N St 801	Sacramento	CA	95814
Eastman Eileen Marie	500 N St 505	Sacramento	CA	95814
Eisenhart Family Trust	309 Magee Av	Mill Valley	CA	94941
Elvidge Ronald P	1343 Locust St 204	Walnut Creek	CA	94596
Elvidge Ronald P	1343 Locust St 204	Walnut Creek	CA	94596
Ernest/Roberta Ehnisz Revocable Living Trust/Etal	3438 Bradshaw Rd	Wheatland	CA	95692
Fotopoulos Koula	4120 Levendi Ln	Sacramento	CA	95821
Galizio/Metzger Family Trust	Po Box 160427	Sacramento	CA	95816
Garber James F Iv/Beverly E Bovey	500 N St 303	Sacramento	CA	95814
Gianulias Pauline J	500 N St 1002	Sacramento	CA	95814
Gilani Faramarz A/Kamran G	11261 Crocker Grove Ln	Gold River	CA	95670
Governors Square Apartments Llc	1 Hallidie Pz 701	San Francisco	CA	94102
Governors Square Apartments Llc	1 Hallidie Pz 701	San Francisco	CA	94102
Governors Square Apartments	1451 3rd Street	Sacramento	CA	95814
Green Kathleen	2010 Vizcaya Walk	Sacramento	CA	95818
Grimsmann Randall/Laurie	6927 Los Olivos Wy	Carmichael	CA	95608
Harrell Architecture, Bill Harrell	2908 Franklin Blvd Suite B	Sacramento	CA	95818
Hawk John D/Oksana V	500 N St 1501	Sacramento	CA	95814
Healy Family Trust/Christopher Healy	500 N St 1507	Sacramento	CA	95814
Hines Sacramento Wells Fargo Center L	101 California St 1000	San Francisco	CA	94111
Hirning Marilyn	500 N St 903	Sacramento	CA	95814
Hodge Ma Living Trust/William Y Ma/Sophia D	2009 14th Av	San Francisco	CA	94116
Hofmann Company	Po Box 907	Concord	CA	94522
Holiday Rentals Llc	9613 W Marco Polo Rd	Peoria	AZ	85382
Howard Michael	500 N St 207	Sacramento	CA	95814
Howell Mark C	6289 Riverside Bl	Sacramento	CA	95831
Hsu Nai Chao/Rose	500 N St 1505	Sacramento	CA	95814
Hunter William S/Ada Julia	500 N St 1607	Sacramento	CA	95814
J D Rowell Revocable Living Trust	500 N St 504	Sacramento	CA	95814
James Brungardt/Shawn Thomas Trust	Po Box 329	Wilton	CA	95693
James E Salerno Revocable Trust/Etal	500 N St 208	Sacramento	CA	95814
Joan P Barbaria Trust	551 38th St	Sacramento	CA	95816

John J/Doris G Farkas Family Trust	3954 Rancho Rd	Lafayette	CA	94549
Kamangar Siamak	500 N St 708	Sacramento	CA	95814
Khatchik/Araxie Achadjian Revocable Trust	203 Patricia Ct	San Luis Obispo	CA	93405
Kmeto Peter	500 N St 610	Sacramento	CA	95814
Kryski Charles G Sr/Jane Pedersen/Jane Marie	500 N St Unit 410	Sacramento	CA	95814
Kunze Carr	835 Commons Drive	Sacramento	CA	95825
Kw Captowers Llc	9701 Wilshire Bl 7 Fl	Beverly Hills	CA	90212
Lambrechts Brian	500 N St 203	Sacramento	CA	95814
Lawrence D Micheli Trust	500 N St 401	Sacramento	CA	95814
Lee Tim D	500 N St 510	Sacramento	CA	95814
Leung Tommy	500 N St 605	Sacramento	CA	95814
Linhardt Daniel S/Cecilia M Clark	791 W View Ct	Diamond Spring	CA	95619
Louie Betty Kay	500 N St 405	Sacramento	CA	95814
Marouf Said/Marouf Viviane Ritzi	2100 Stockman Cir	Folsom	CA	95630
Mary D Coontz Trust	554 Thomson Av	Sonoma	CA	95476
Mary L Stults Revocable Living Trust	2146 6th Av	Sacramento	CA	95818
Matocq Family Trust	2463 Lone Pine Ct	West Sacramento	CA	95691
Michael E Benson Sr 2005 Trust	500 N St 503	Sacramento	CA	95814
Migliori Ronald E	Po Box 1251	Sloughhouse	CA	95683
Mitsunaga Lance K	500 N St 202	Sacramento	CA	95814
Miyao Stanley K	500 N St 204	Sacramento	CA	95814
Nakabayashi Mariko Jo	500 N St 1103	Sacramento	CA	95814
Neil J/Diana H Townley Revocable Living Trust	560 Thornley Wy	Sacramento	CA	95864
Nisei War Memorial Com Cen Inc	1515 4th St	Sacramento	CA	95814
Nussbaum Family Trust	1200 Brand River	Sacramento	CA	95831
Pachl James P/Judith Lamare	500 N St 1403	Sacramento	CA	95814
Patrick K Willis Family Trust	Po Box 1144	Sacramento	CA	95812
Pauline Ng Hutton Revocable Living Trust	7671 Greenhaven Dr	Sacramento	CA	95831
Pioneer House	415 P Street	Sacramento	CA	95814
Pettas William	5100 Woodsman Lp	Placerville	CA	95667
Pioneer Towers, Gail Gardner	515 P Street	Sacramento	CA	95814
Pioneer Towers Rhf Partners L P	911 N Studebaker Rd	Long Beach	CA	90815
Plumb Bette Sue/Robert S	500 N St 1506	Sacramento	CA	95814
Plumb Robert S/Bette S/William Mccourt	500 N St Unit 709	Sacramento	CA	95814
Pulido Arias Janene A/Jose	500 N St Unit 201	Sacramento	CA	95814
Reece James M Jr	3939 J St 280	Sacramento	CA	95819
Reed Robert M/Erin	1221 Rodeo Wy	Sacramento	CA	95819
Rodriguez Osvaldo	500 N St 209	Sacramento	CA	95814
Ronald Scott/Camille D Vanderbeek Family 1986 Rev	500 N St 310	Sacramento	CA	95814
Roy J Shlemon Revised/Restated Revocable Trust	Po Box 3066	Newport Beach	CA	92659
Sacramento Housing Alliance	1800 21st Street, Suite 100	Sacramento	CA	95818
Sacramento Old City Association	PO Box 162140	Sacramento	CA	95816
Rubinstein Sevcik Family Trust	15752 W Roanoke Av	Goodyear	AZ	85395
Salerno Family Living Trust	500 N St 1602	Sacramento	CA	95814
Shaw Inter Vivos Trust	2540 Castellon Ter	El Cajon	CA	92019
Shimer Robert J/Betty K Louie	500 N St 404	Sacramento	CA	95814
Singh Sanjay	500 N St 809	Sacramento	CA	95814
Siskan Llc	1420 Chestnut Pl	Davis	CA	95618
State Of California	707 Q St	Sacramento	CA	95811
State Of California	1521 7th St	Sacramento	CA	95814
State Of California	1610 7th St	Sacramento	CA	95814
State Of California	700 P St	Sacramento	CA	95814
State Of California	1618 7th St	Sacramento	CA	95814
State Of California	1522 14th St	Sacramento	CA	95814
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State Of California	1611 6th St	Sacramento	CA	95814
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State Of California	1522 14th St	Sacramento	CA	95814
State Of California	604 P St	Sacramento	CA	95814
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State Of California	1522 14th St	Sacramento	CA	95814
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State Of California	718 P St	Sacramento	CA	95814
State Of California	726 P St	Sacramento	CA	95814
State Of California	713 P St	Sacramento	CA	95814
State Of California	716 P St	Sacramento	CA	95814
State Of California	1529 7th St	Sacramento	CA	95814
State Of California	1431 8th St	Sacramento	CA	95814
State Of California	707 3rd St 5 Fl	West Sacrament	CA	95605
State Of California	729 Q St	Sacramento	CA	95811
State Of California	1522 14th St	Sacramento	CA	95814
State Of California	619 Q St	Sacramento	CA	95811
State Of California	1612 7th St	Sacramento	CA	95814
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State Of California	611 Q St	Sacramento	CA	95811
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State Of California	725 P St	Sacramento	CA	95814
State Of California	1 No Address	Sacramento	CA	95826
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State Of California	1617 6th St	Sacramento	CA	95814
State Of California	1631 6th St	Sacramento	CA	95814
State Of California	1602 8th St	Sacramento	CA	95814
State Of California	1600 7th St	Sacramento	CA	95814
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State Of California	620 P St	Sacramento	CA	95814
State Of California	1616 8th St	Sacramento	CA	95814
State Of California	1622 8th St	Sacramento	CA	95814
State Of California	627 Q St	Sacramento	CA	95811
State Of California	1624 7th St	Sacramento	CA	95814
State Of California	731 P St	Sacramento	CA	95814
State Of California	612 P St	Sacramento	CA	95814
State Of California	800 N St	Sacramento	CA	95814
State Of California	704 P St	Sacramento	CA	95814
Stewart Rachel R	500 N St 205	Sacramento	CA	95814
Sun Xiangling	1838 W Henderson St	Chicago	IL	60657
Thomas C/Loretta K Berryhill 2001 Trust	7110 Leer Ct	Modesto	CA	95356
Townley Melanie	500 N St 702	Sacramento	CA	95814
Trovao Family Trust	500 N St 1601	Sacramento	CA	95814
Unger Construction, Scott Maxwell	910 X St	Sacramento	CA	95818
Unite Here, Local 49	1440 Broadway, Suite 208	Oakland	CA	95612
United Auburn Indian Community	10720 Indian Hill Road	Auburn	CA	95603
United States Of America	Po Box 92007	Los Angeles	CA	90009

Vadnais Family Trust	810 Adella Av	Coronado	CA	92118
Veteto William O/Traci K	500 N St 1404	Sacramento	CA	95814
Virga David J/Shawna P	3920 American River Dr	Sacramento	CA	95864
Wemmer Kenneth A/Muriel R	500 N St 1209	Sacramento	CA	95814
Williams Wade	300 Phebe Ct	Roseville	CA	95661
WI Holdings Llc	131 Marsha Pl	Lafayette	CA	94549
Dear Neighbor	1417 5th St	Sacramento	CA	95814
Dear Neighbor	1419 5th St	Sacramento	CA	95814
Dear Neighbor	1421 5th St	Sacramento	CA	95814
Dear Neighbor	1423 5th St	Sacramento	CA	95814
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Dear Neighbor	1497 5th St	Sacramento	CA	95814
Dear Neighbor	1499 5th St	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10a	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10b	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10c	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10d	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10e	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10f	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10g	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10h	Sacramento	CA	95814
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Dear Neighbor	1500 7th St Apt 10k	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10l	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10m	Sacramento	CA	95814
Dear Neighbor	1500 7th St Apt 10n	Sacramento	CA	95814

Dear Neighbor	656 N St	Sacramento	CA	95814
Dear Neighbor	657 P St	Sacramento	CA	95814
Dear Neighbor	658 N St	Sacramento	CA	95814
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Dear Neighbor	697 P St	Sacramento	CA	95814
Dear Neighbor	698 N St	Sacramento	CA	95814
Dear Neighbor	699 P St	Sacramento	CA	95814

NAME	ADDRESS	CITY	STATE	ZIP
JANE KRYSKI MORRIS	500 N ST, # 410	SACRAMENTO	CA	95814
JULIE MUMMA	500 N ST, #806	SACRAMENTO	CA	95814
J D ROWELL	500 N ST, #504	SACRAMENTO	CA	95814
GRETCHEN STEINBERG	4910 S LAND PARK DR	SACRAMENTO	CA	95822
EVA NUNEZ	515 P ST #604	SACRAMENTO	CA	95814
JEANNE JOHNSON	515 P ST #1218	SACRAMENTO	CA	95814
DAN PSKOWSKI	2309 CASTRO WY #2	SACRAMENTO	CA	95818
PAULINE HUTTON	7671 GREENHAVEN DR	SACRAMENTO	CA	95831
JUDY KAY STANLEY	515 P ST	SACRAMENTO	CA	95814
KATHLEEN GREEN	2010 VIZCAYA WALK	SACRAMENTO	CA	95818
VERONICA BEATY	2508 L ST #13	SACRAMENTO	CA	95816
CHRIS WORDEN	980 9TH ST	SACRAMENTO	CA	95814
BRIAN SEHNERT	2611 V ST	SACRAMENTO	CA	95818

Environmental Impact Reports - City of Sacramento - Windows Internet Explorer

http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports

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PLANNING

ACTIVE PROJECTS

COMMISSIONS

CURRENT

URBAN DESIGN

ENVIRONMENTAL

ENVIRONMENTAL IMPACT REPORTS

LONG RANGE PLANNING

ONLINE LIBRARY

RESOURCES

MEETINGS

CONTACT US

mitigation measures. Possible alternatives to the project are considered as well, including the option of not doing the project.

PUBLIC COMMENT ON CURRENT ENVIRONMENTAL DOCUMENTS:

The following notices identify environmental documents circulated for public comment. Comment periods are identified in the notice for each document.

Combined Sewer System Rehabilitation and Improvement Plan

- [Draft EIR](#)
- [Final EIR](#)
- [City Council Resolution No. 97-123](#)
- [Addendum to EIR](#)
- [City Council Resolution No. 2013-0186](#)

Sacramento Commons (P14-012)

- [Application Packet](#)
- [Site Photos](#)
- [Tentative Subdivision Map \(Updated 06-16-14\)](#)
- [Draft PUD Guidelines \(Updated 5-28-14\)](#)
- [NOP Responses \(May 2014\)](#)
- [Historic Resources Report](#)
- [Arborist Report](#)
- [Notice of Preparation \(August 6, 2014\)](#)
- [Draft Initial Study \(August 6, 2014\)](#)

Shasta 10 (P06-189)

- [Notice of Subsequent Project and Initial Study](#)
- [Notice of Availability](#)

The Creamery Project (P13-043)

- [Notice of Availability/Notice of Intent](#)
- [Initial Study/Mitigated Negative Declaration](#)
- [Initial Study/MND Attachment B - Project Revision Review Letter](#)
- [Initial Study/MND Appendices](#)

Aspen-1

- [Notice of Availability Extension](#)
- [Aspen 1 New Brighton Draft EIR \(Vol. 1\)](#)
- [Aspen 1 New Brighton Draft EIR \(Vol. 2\)](#)
- [Aspen 1 New Brighton Draft EIR \(Vol. 3\)](#)

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10:24 AM 8/7/2014

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2014042032

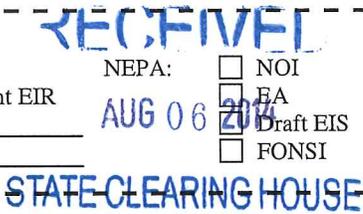
Project Title: Sacramento Commons (P14-012)

Lead Agency: City of Sacramento Contact Person: Scott Johnson
Mailing Address: 300 Richards Boulevard, 3rd Floor Phone: (916) 808-5842
City: Sacramento Zip: 95811 County: Sacramento

Project Location: County: Sacramento City/Nearest Community: Sacramento
Cross Streets: 5th / P / 7th / N streets Zip Code: 95814
Longitude/Latitude (degrees, minutes and seconds): ... Total Acres: 11.17 gross
Assessor's Parcel No.: 006-0300-002, -003, -004 Section: Twp.: Range: Base:
Within 2 Miles: State Hwy #: I-5, US-50 Waterways: Sacramento River
Airports: Railways: Schools: William Land Elem.

Document Type:

CEQA: [X] NOP [] Draft EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[] Mit Neg Dec Other:



Local Action Type:

[] General Plan Update [] Specific Plan [X] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [X] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [X] Site Plan [X] Land Division (Subdivision, etc.) [X] Other: Design Review

Development Type:

[] Residential: Units ~1500 Acres 10
[] Office: Sq.ft. Acres Employees Transportation: Type
[X] Commercial: Sq.ft. 69,000 Acres Employees Mining: Mineral
[] Industrial: Sq.ft. Acres Employees Power: Type MW
[] Educational: Waste Treatment: Type MGD
[] Recreational: Hazardous Waste: Type
[] Water Facilities: Type MGD Other:

Project Issues Discussed in Document:

[] Aesthetic/Visual [] Fiscal [] Recreation/Parks [] Vegetation
[] Agricultural Land [] Flood Plain/Flooding [] Schools/Universities [] Water Quality
[] Air Quality [] Forest Land/Fire Hazard [] Septic Systems [] Water Supply/Groundwater
[] Archeological/Historical [] Geologic/Seismic [] Sewer Capacity [] Wetland/Riparian
[] Biological Resources [] Minerals [] Soil Erosion/Compaction/Grading [] Growth Inducement
[] Coastal Zone [] Noise [] Solid Waste [] Land Use
[] Drainage/Absorption [] Population/Housing Balance [] Toxic/Hazardous [] Cumulative Effects
[] Economic/Jobs [] Public Services/Facilities [] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Residential / R-5 Multi-family / Central Business District

Project Description: (please use a separate page if necessary)

The project would enhance the pedestrian walkways and replace 206 existing garden apartment units with approximately 1,400-1,500 total dwelling units (including the existing 203-unit Capitol Tower high-rise) of various types and densities (a net increase of approximately 1,000-1,100 dwelling units), new parking structures with up to 1,778 spaces serve uses on-site, approximately 65,000-69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space to activate the streets, public areas, and pedestrian spaces of the community.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #3	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # 5S
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #2	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input checked="" type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date August 6, 2014 Ending Date September 5, 2014

Lead Agency (Complete if applicable):

Consulting Firm: <u>AECOM</u>	Applicant: <u>Kennedy Wilson (Dave Eadie)</u>
Address: <u>2020 L Street, Suite 400</u>	Address: <u>9701 Wilshire Boulevard, Suite 700</u>
City/State/Zip: <u>Sacramento / CA / 95811</u>	City/State/Zip: <u>Beverly Hills / CA / 90212</u>
Contact: <u>Jeffrey Goldman</u>	Phone: <u>(310) 887-6203</u>
Phone: <u>(916) 414-5800</u>	

Signature of Lead Agency Representative:  Date: 8-5-14

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

DATE: August 6, 2014
TO: Interested Persons
FROM: Scott Johnson, Associate Planner
Community Development Department

ENDORSED
SACRAMENTO COUNTY

AUG 06 2014

DAVID VILIANOVA, CLERK/RECORDER
BY  DEPUTY

RE: **NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR
THE SACRAMENTO COMMONS PROJECT (P14-012) (SCH#2014042032)**

COMMENT PERIOD

August 6, 2014 to September 5, 2014

SCOPING MEETING

**August 27, 2014
Sacramento City Hall, 915 I Street, Room 1119,**

INTRODUCTION

The City of Sacramento ("City") is the Lead Agency for preparation of Environmental Impact Report for the Sacramento Commons project, P14-012 (proposed project or project) pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code (PRC) section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). The environmental review to be prepared by the City will evaluate potential significant environmental effects of the project required by CEQA. Written comments regarding the issues that should be covered in the EIR, including potential alternatives to the project and the scope of the analysis, are invited.

The project is a residential mixed-use project proposed on an approximately 10-acre site in downtown Sacramento located within close proximity to a variety of transit resources and is designed to qualify as a transit priority project (TPP) as defined in Public Resources Code section 21155(b). As a TPP, the project may be reviewed by an environmental impact report (EIR) pursuant to California Public Resources Code section 21155.2. Pursuant to California Public Resources Code section 21155.2(c)(1), an initial study is prepared to identify significant or potentially significant impacts of the TPP.

The City as the Lead Agency is issuing a Notice of Preparation (NOP) to inform all responsible agencies of the decision to prepare an EIR. The purpose of the NOP is to provide information describing the project and its potential environmental effects and to seek input from responsible agencies as defined by CEQA (PRC Section 21069) and the public. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project. The full NOP is available at the City's Community Development Department webpage at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

PROJECT LOCATION

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. The project site is generally bounded by 5th, 7th, N, and P Streets and consists of Assessor's Parcel Numbers (APN): 006-0300-002, 006-0300-003, and 006-0300-004.

PROJECT DESCRIPTION

The project includes high-rise and mid-rise apartments and condominiums, with opportunities for live-work and neighborhood-serving retail and support services for community residents and guests. Modern community amenities, pedestrian promenades, rooftop open space areas, and a potential hotel (described below) are other planned features of the community.

The project site currently includes 409 dwelling units including 203 dwelling units in the Capitol Towers high-rise and 206 units in two- and three- story garden apartments. Upon completion of the proposed project, the project site would include approximately 1,400-1,500 dwelling units. This total includes the existing 203 unit Capitol Towers high-rise, which is proposed to be retained and potentially renovated. The 206 garden apartment units are proposed to be removed. In total, upon completion of all phases of the proposed project, the project would result in a net increase of approximately 1,000 -1,100 dwelling units on the project site. The proposed project would also include new parking structures with up to 1,778 spaces to serve uses on-site, approximately 65,000–69,000 square feet of neighborhood-serving retail and/or support uses, and 44,000 square feet of live-work space.

The existing 15-story Capitol Tower building, containing 203 dwelling units, would remain an integral part of the Sacramento Commons community. Improvements to Capitol Tower could include interior modifications to reconfigure apartments, senior living facilities, or condominiums. The building's exterior would likely undergo a makeover to ensure overall architectural compatibility with Sacramento Commons.

Two potential development options are proposed for the project parcel near the corner of N and 7th streets. Option 1 is planned as a 22-story mixed-use high-rise hotel and residential condominium development that would include a lobby area, restaurant, hotel meeting spaces, and retail and other supporting uses on floors 1 and 2; hotel rooms on floors 3 through 11; and condominium units on floors 12–22. Option 2 proposes an all condominium alternative, with ground floor retail and support uses.

Development of the proposed project is anticipated to begin in October 2015 and occur in phases to enable the project to respond to market demand. The sequence of phasing will vary for the project depending on market conditions, but it is anticipated that all phases would be commenced within five years of the first phase breaking ground. Construction of off-site and on-site infrastructure such as water, sewer, and storm drainage facilities would be necessary in the early phases of development.

SUBMITTING COMMENTS

Comments and suggestions as to the appropriate scope of analysis are invited from all interested parties. Written comments or questions concerning the proposed project should be directed to the environmental project manager at the following address on September 5, 2014 (Public counter hours are 9AM-4PM):

Scott Johnson, Associate Planner;
City of Sacramento Community Development Department;
300 Richards Blvd., 3rd Floor,
Sacramento, CA 95811;
Tele: (916) 808-5842;
E-mail: srjohnson@cityofsacramento.org.

SCOPING MEETING

A public scoping meeting will be held on Wednesday, August 27, 2014, from 5:30 p.m. to 7:00 p.m. at the following location:

**City of Sacramento, City Hall, Room 1119
915 I Street
Sacramento, CA 95814**

Responsible agencies and members of the public are invited to attend and provide input on the scope of the EIR. The scoping meeting will be conducted in an open house format. Written comments regarding relevant issues may be submitted at the meeting.

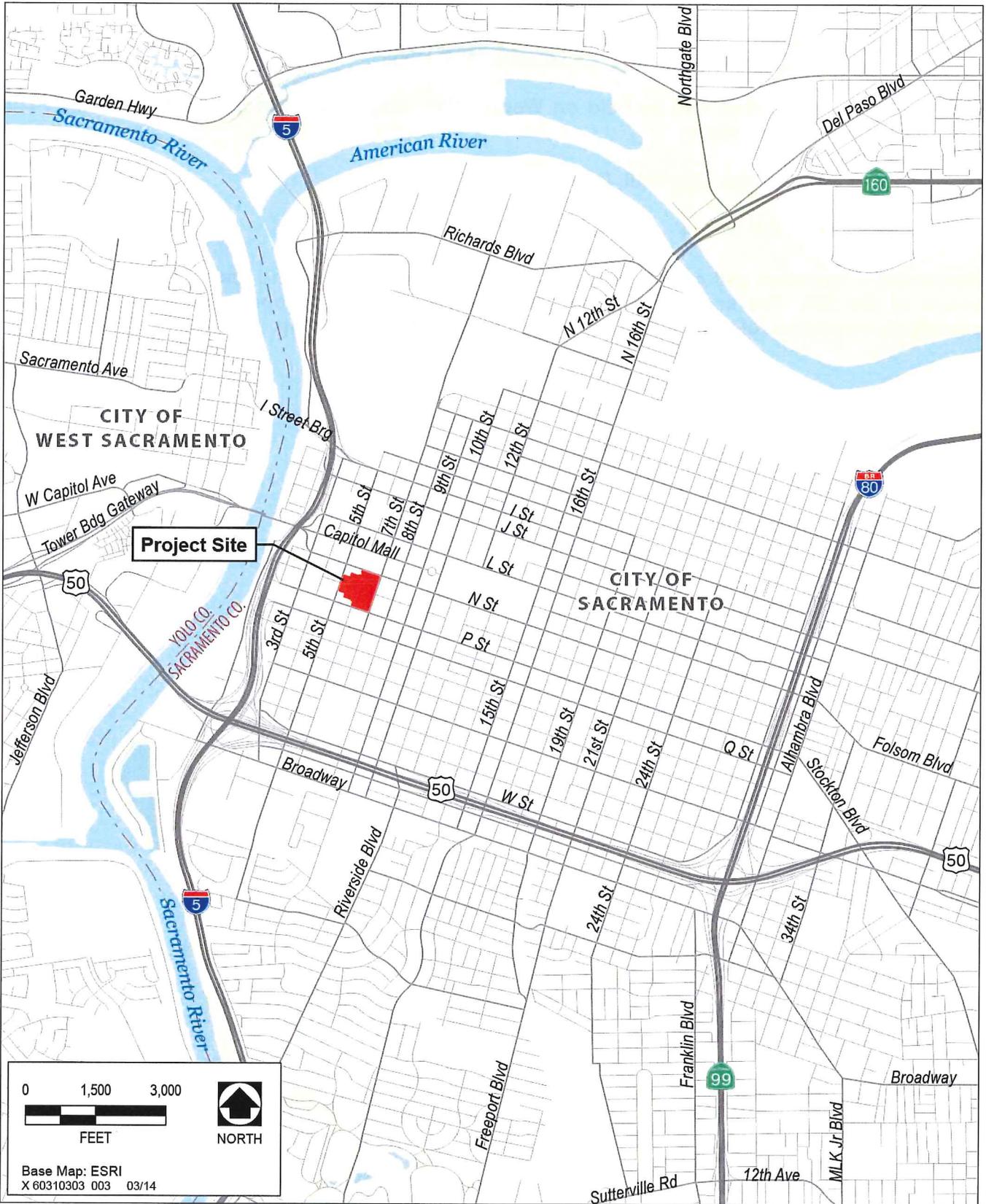


Figure 1. Regional Location

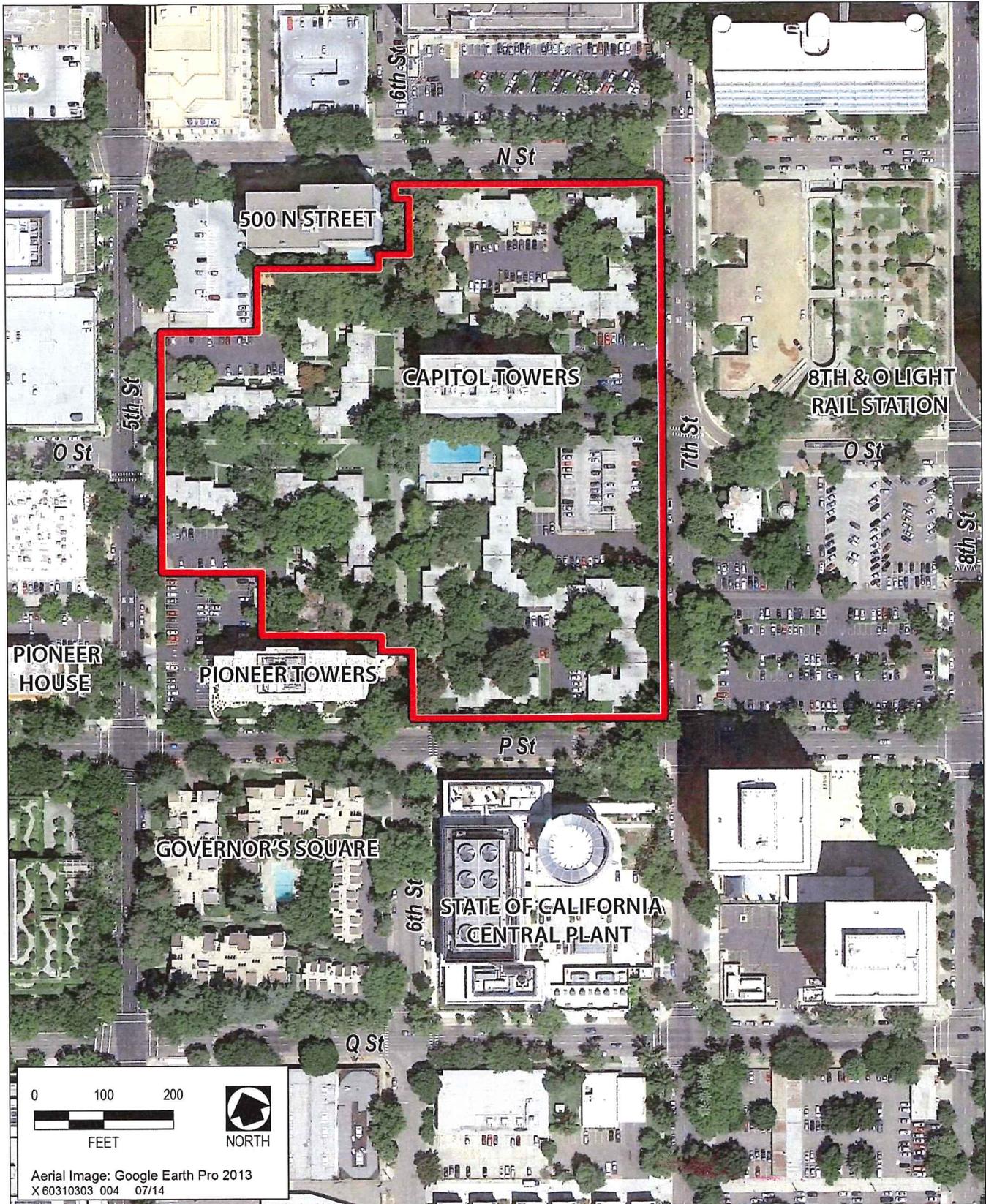


Figure 2. Project Location

APPENDIX A: LIST OF SCEA NOP COMMENT LETTERS

Agencies:

- California Department of General Services, Real Estate Division, 4-24-14
- Governor's Office of Planning & Research, State Clearinghouse, 4-10-14
- Sacramento Area Council of Governments (SACOG), 4-24-14
- Sacramento Regional Transit District (Sac RT), 5-7-14)
- Sacramento Metropolitan Air Quality Management District (SMAQMD), 5-6-14
- Regional San (Sacramento Regional County Sanitation District), 4-10-14;
- California Department of Transportation (Caltrans), 5-12-14
- Central Valley Regional Water Quality Control Board (CVRWQCB), 5-9-14

Organizations:

- Bridgeway Towers Owners' Association, 4-29-14
- Bridgeway Towers Owners' Association, 5-9-14
- California Preservation Foundation, 5-12-14
- Environmental Council of Sacramento (ECOS), 5-12-14
- Neighbors of Capitol Towers and Villas, 5-1-14
- Sacramento Area Bicycle Advocates (SABA), 5-6-14
- Sacramento Modern (SacMod), 5-6-14
- Sacramento Old City Association (SOCA), 5-10-14
- Unite Here Local 49, 5-12-14
- National Trust for Historic Preservation, 5-12-14
- Sacramento Housing Alliance (SHA), 5-12-14

Individuals/Businesses:

- Alice Bruce, 4-15-14
- Adrienne Kandel, 5-10-14
- Carr Kunze, 4-15-14
- Carr Kunze, 5-12-14
- Healon Knight, 4-16-14
- Julie Mumma, 5-11-14
- Jim Pacht, 4-25-14
- Jim Pacht, 5-8-14
- Jim Pacht, 5-12-14
- Patrick J. Wilson, 4-10-14
- Tommy Leung, 4-20-14
- Rutan & Tucker, LLP

AGENCY	NAME	ADDRESS	CITY	STATE	ZIP
	SRCS D	10060 Goethe Road	Sacramento	CA	95827
CA Dept of Fish and Wildlife	Attn: Amy Kennedy	1701 Nimbus Road, Ste A	Rancho Cordova	CA	95670
CA State Parks - SHPO	Office of Historic Preservation	1725 23rd Street, Suite 100	Sacramento	CA	95816
CA RWQCB	Central Valley Region	11020 Sun Center Dr, Ste 200	Rancho Cordova	CA	95670
Caltrans	District 3	2379 Gateway Oaks Dr Ste 150	Sacramento	CA	95833
CA Public Utilities Commission	Sacramento Office	770 L Street	Sacramento	CA	95814
California Department of	Toxic Substance Control	8800 Cal Center Drive	Sacramento	CA	95826
Native American	Heritage Commission	915 Capitol Mall, Room 364	Sacramento	CA	95814
SMAQMD	Attn: Paul Philley	777 12th Street, 3rd Floor	Sacramento	CA	95814
	California Air Resources Board	1001 I Street	Sacramento	CA	95814
Sacramento Area Council of Governments	Kacey Lizon	1415 L Street, Suite 300	Sacramento	CA	95814
	Sacramento Regional Transit District	PO Box 2110	Sacramento	CA	95812
	CADA	1522 14th Street	Sacramento	CA	95814
California Department of	General Services	707 3rd Street, 5th Floor	West Sacramento	CA	95605
California State Water	Resources Control Board	PO BOX 100	Sacramento	CA	95812
Federal Aviation Administration	San Francisco Airports District Office	1000 Marina Blvd, Suite 220	Brisbane	CA	94005
SCUSD	Superintendent	5735 47th Avenue	Sacramento	CA	95824

From: [Scott Johnson](#)
To: [Scott Johnson](#)
Cc: [Scot Mende](#); [Tom Buford](#)
Bcc: [Adrienne Kandel](#); [AECOM - Jeff Goldman](#); [AECOM - Steve Smith](#); [Alice Bruce](#); [Anais Fuzell](#); [Brian Sehnert](#); [Bridgeway Towers Owners Association](#); [CA DGS - Angela Verbaere](#); [CA DGS - Elizabeth Ames](#); [CA DTSC - Ruth Cayabyab](#); [CA SHPO](#); [California Preservation Foundation](#); [California Preservation Foundation - Carole Poole](#); [Caltrans - Eric Fredericks](#); [Caltrans - Larry Brohman](#); [Capitol Area R Street Assn \(caRsa\) - Lynne Freeman](#); [Car Kunze](#); [Carole Poole](#); [CVRWOCB - Trevor Cleak](#); [Dan Pskowski](#); [Downtown Sacramento Partnership - Chris Worden](#); [Downtown Sacramento Partnership - Michael Ault](#); [ECOS](#); [ECOS - Robert Meagher](#); [ECOS - Ron Maertz](#); [LU Co-Chair](#); [George and Liz Salerno](#); [Harrell Architecture - Bill Harrell](#); [Healon Knight](#); [Ione Band of Miwok Indians - Anthony Burris](#); [J.D. Rowell](#); [Jane Kryski Morris](#); [Janet Laurain - Adams Broadwell Joseph & Cardozo](#); [Jim Pacht](#); [Jude Lamare \(judelam@sbcglobal.net\)](#); [Judy Kay Stanley](#); [Julie Mumma](#); [Kathleen Green \(kdgreenone@yahoo.com\)](#); [Kennedy Wilson - Dave Eadie](#); [Kennedy, Amy@Wildlife \(Amy.Kennedy@wildlife.ca.gov\)](#); [Native American Heritage Commission](#); [Nat'l Trust for Historic Preservation](#); [Patrick J. Wilson](#); [Pauline Hutton](#); [PG&E - Donald Kennedy](#); [Pioneer House](#); [Rutan & Tucker - Ann Levin](#); [Rutan & Tucker - Peter Howell](#); [SABA - Jim Brown, Executive Director](#); [SABA - Jordan Lang](#); [SABA - Jordan](#); [Sac Modern - Gretchen Steinberg](#); [Sac RT - Chris Pair](#); [Sac RT - Traci Canfield](#); [Sac. Co. Airports - Greg Rowe \(RoweG@saccounty.net\)](#); [SACOG - Kacey Lizon](#); [Sacramento Housing Alliance - Daryl Rutherford](#); [Sacramento Housing Alliance - Patrick Johnson](#); [Sacramento Housing Alliance - Shammus Roller](#); [Sacramento Housing Alliance - Veronica](#); [Sacramento Old City Association](#); [Sacramento Old City Association](#); [SCUSD - Crystal Hoff](#); [Shingle Springs Band of Miwok - Andrew Godsey](#); [Shingle Springs Miwok Indians - Nicholas Fonseca](#); [Shingle Springs Rancheria - Daniel Fonseca](#); [SMAQMD - Paul Philley](#); [SMUD - Bradley Kight](#); [SMUD - Jose Bodipo-Memba](#); [SMUD - Rob Ferrera](#); [Southside Park NA - Michael Edwards](#); [Southside Park NA - Michael Edwards](#); [SRCSD - Michael Meyer](#); [SRCSD - Sarena Moore](#); [Thomas Law Grp - Chris Butcher](#); [Thomas Law Grp - Tina Thomas](#); [Tommy Leung](#); [Tricia Stevens \(Sac County Planning\)](#); [Unger Construction - Scott Maxwell](#); [Unite Here Local49 - Taylor Hudson](#); [United Auburn Indian Community - Marcos Guerrero](#); [Walk Sacramento - Chris Holm](#); [Walk Sacramento - Terry Duarte, Exec. Dir.](#); [Wilton Rancheria - Steven Hutchason](#); [Adrienne Hall](#); [Aelita Mlatzo](#); [Amy M. Weinberg](#); [Arwen Wacht](#); [Chris Thoma](#); [Consuelo Hernandez](#); [David Kwong](#); [Jameson Parker](#); [Jim McDonald](#); [Joe Benassini](#); [King Tunson](#); [Luis Sanchez](#); [Mary de Beauvieres](#); [Mayor of the City of Sacramento](#); [Kevin Johnson](#); [Neal Joyce](#); [Peter Fenolio](#); [Robert Armijo](#); [Roberta Deering](#); [Samar Hajeer](#); [Scot Mende](#); [Stacia Cosgrove](#); [Steve Hansen](#); [Tom Buford](#); [Tom Pace](#); [Adrienne Hall](#); [Alisa Johnson](#); [Amy M. Weinberg](#); [Andrea San Miguel](#); [Anne Romo](#); [Aubrie Fong](#); [Cassandra Jennings](#); ["Cesar Toledo"](#); [Consuelo Hernandez](#); [Daniel Conway](#); [Daniel Savala](#); [Debra Wurgler](#); [Delia Chacon](#); [Dinah Fischer](#); [Joe Devlin](#); [Kim Blackwell](#); [Maria Alvarez](#); [Matthew Bryant](#); [Noah Painter](#); [Patti Bisharat](#); [Rachel Minnick](#); [Sue Brown](#); [Kevin A. Hocker](#); [William Wann](#)
Subject: Sacramento Commons Notice of Preparation of EIR
Date: Wednesday, August 06, 2014 2:57:14 PM
Attachments: [Sac Commons NOP 8-6-14.pdf](#)

This email is to inform you that the City of Sacramento, Community Development Department, as Lead Agency, has issued a **Notice of Preparation (NOP) of an Environmental Impact Report for the Sacramento Commons Project (P14-012)(SCH# 2014042032)**.

The comment period is from August 6, 2014 to September 5, 2014.

The issuance of the NOP is to inform all responsible agencies of the decision to prepare an EIR. The purpose of the NOP is to provide information describing the project and its potential environmental effects and to seek input from responsible agencies as defined by CEQA (PRC Section 21069) and the public. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project. The full NOP is attached and is available along with the Draft Initial Study at the City's Community Development Department webpage at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

- [Notice of Preparation \(August 6, 2014\)](#)
- [Draft Initial Study \(August 6, 2014\)](#)

A public scoping meeting will be held **on Wednesday, August 27, 2013, from 5:30 p.m. to 7:00 p.m.** at Sacramento City Hall, **Room 1119**, 915 I Street, Sacramento, California 95814. Responsible agencies and members of the public are invited to attend and provide input on the scope of the EIR.

The scoping meeting will be conducted in an open house format. Written comments regarding relevant issues may be submitted at the meeting.

Comments and suggestions as to the appropriate scope of analysis are invited from all interested parties. Written comments or questions concerning the proposed project should be directed to the environmental project manager at the following address on September 5, 2014 (Public counter hours are 9AM-4PM):

Scott Johnson
City of Sacramento
Community Development Dept.
Environmental Planning Services
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
(916) 808-5842

THE STATE
OF THE

CITY

EXPERIENCE

WHAT MAKES A CITY GREAT?

Urbanites across the country agree on a few things: they want great food, they love waterfronts, and they value historical architecture. As planners and designers, our job is to understand what people want and balance these desires with the big picture—economic realities, cultural needs, environmental concerns, and design opportunities—ultimately helping to shape a more satisfying and sustainable urban experience.

In this report, Sasaki outlines the results of a survey of 1,000 people who both live and work in one of six dynamic US cities—Boston, Chicago, New York, Austin, San Francisco, and Washington DC. We asked what they like and what they don't like about their built environment in four key areas: architecture, activities, parks and open space, and transportation, and what their personal outlook is for staying in a city long-term. Our participants' answers show that while we may be in the "century of the city" there is still much work to be done to improve urban life through thoughtful planning and innovation.

If You Build It...

While many people say they are drawn to historic buildings, we believe there's more going on here than meets the eye. Digging a little deeper unearths ways in which cities can design and build better.

In our experience, two primary characteristics attract people to historic buildings:

1. When people identify a building as historic, it is well-made and full of interesting details.
2. It often has a story behind it. Who wouldn't be captivated by the building—however humble—in which Thoreau wrote Walden?

Contemporary buildings that people identify as such are often uninteresting not because they are new, but because they are market-driven products that prioritize quantity and speed over quality and mission. They're visually uninteresting, and there's definitely no story behind them.

Plenty of counter examples exist—especially in cities with a recent culture of great contemporary architecture. Residents of San Francisco notably prize buildings that feature public art or unique design elements rather than those that are historic.

We think it's entirely possible to elevate today's architecture and people's impression of it—creating buildings with character, detail, and human scale, that can also be iconic. New buildings that relate to the public realm (an aspect in which many historical buildings fall short) will also be more successful. Millennials and Gen Xers are more likely to want buildings with flexible uses for pop-ups and community events. Interesting landscape design, activated first floors (that go beyond that standard retail awning), and even green roofs are all ways to create engagement.

These approaches don't necessarily have to cost more, but do require a more thoughtful design process up front. And buildings with unique identities can yield higher returns in the long run. People are attracted to buildings with character, a story, and an identity—and tenants are often willing to pay a bit more to get that.

MANY PEOPLE FEEL THE HISTORY OF A BUILDING IS THE PRIMARY FACTOR THAT MAKES IT ICONIC

36

PERCENT believe a building's history makes it iconic

30% think it's great architecture

24% look to its unique design

6% believe the uses inside the building make it iconic

5% think it's a well-known name or logo on top

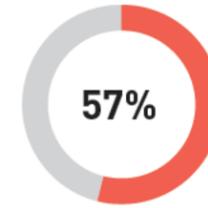
REGIONALLY

Residents of Austin are even more likely to appreciate history, but are less likely to say great architecture makes a building iconic.

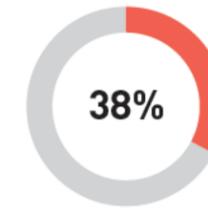
GENERATIONALLY

How you feel about architecture depends on your age. Baby Boomers are more likely than Millennials to say great architecture makes a building iconic. Conversely, Millennials are more likely than any other age group to say a unique design and well-known name or logo on top make a building iconic.

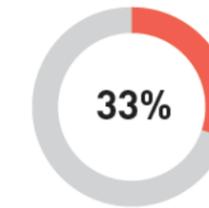
WHEN WALKING ALONG A DOWNTOWN STREET, MOST PEOPLE WILL STOP TO ADMIRE BUILDINGS THAT ARE HISTORIC



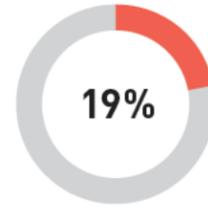
stop to admire buildings that are historic



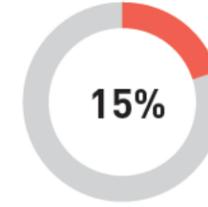
admire buildings that prominently feature public art or very unique design elements



like buildings with great public spaces that invite you inside



admire buildings that are modern



admire the tallest buildings

TO IMPROVE THEIR CITY'S ARCHITECTURAL CHARACTER, MOST PEOPLE WOULD LIKE TO SEE THEIR CITY INVEST IN RENOVATING EXISTING HISTORICAL BUILDINGS TO RETAIN CHARACTER WHILE MAKING THEM MORE USEABLE

54% AGREE WITH THIS

33% love their city's architecture and think the city should keep doing what it's doing

30% would like their city to invest in more flexible uses that support pop-ups and community events

22% would like more unusual architecture (get Frank Gehry on the phone!)

20% think their city feels imposing and impersonal and would like smaller-scale buildings

17% felt their city was too quaint and would like to see more skyscrapers and iconic buildings

REGIONALLY

Residents seem to appreciate the local vernacular. Bostonians are the biggest admirers of historic buildings. Residents of San Francisco are more likely to be attracted to buildings that prominently feature public art or very unique design elements and are unimpressed by the tallest buildings. In contrast, with the tallest (on average) skyline in the US, it should be no surprise that Chicagoans are more likely to admire tall buildings.

GENERATIONALLY

Baby Boomers are more likely to stop and admire historic buildings, whereas Millennials and Gen Xers are more likely to admire modern buildings.

REGIONALLY

San Franciscans are more likely to want smaller-scale buildings. Residents of Boston and Chicago are torn—they want both smaller buildings and more skyscrapers, creating a conundrum for developers and urban planners.

GENERATIONALLY

Millennials and Gen Xers are more likely to want flexible uses that support pop-ups and community events, and unusual architecture.

ACTIVITIES

Out and About

Since the dawn of time, we've come together for meals—so it's no surprise that food continues to be a major social, cultural, and economic driver. When we asked city residents what aspects of urban life enchanted them, food kept popping up in their responses. Eighty-two percent of urbanites appreciate their city's culinary offerings!

There are myriad ways in which we can incorporate food into our cities, from traditional restaurants and waterfront patios to, more recently, food trucks and carts. We can activate streets by accommodating the mobile food scene. This usually requires making room for trucks and, ideally, providing seating options. At the district scale, we can plan for and incentivize food and beverage ventures in new or revitalized neighborhoods. Recognizing the powerful draw of food, cities should plan and design accordingly.

CONSUMERS ACROSS THE COUNTRY LOVE TO SHOP AND EAT—MORE THAN ANY OTHER OUTDOOR ACTIVITY

REGIONALLY

People from Chicago like consumer activities the most, while San Franciscans like them the least. Austinites tend to prefer programmed events (like farmer's markets, outdoor concerts, and food trucks) more than residents of other cities.



56%
enjoy consumer activities



45%
like programmed events



33%
prefer passive activities

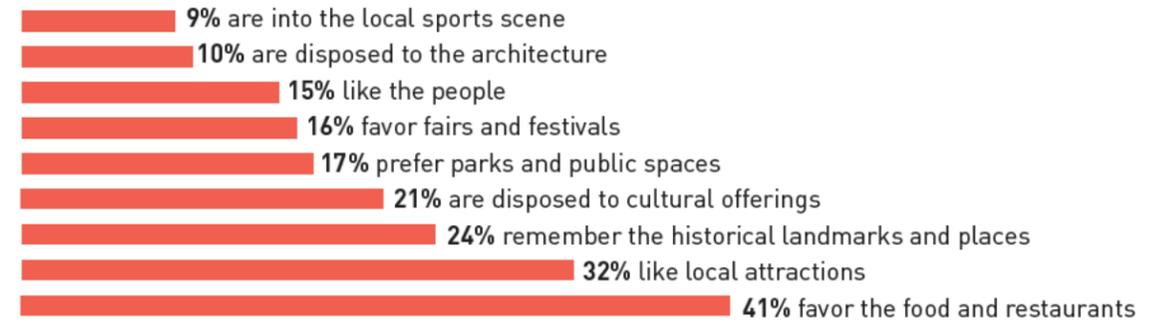


19%
are into adventurous activities



18%
favor team sports

FOOD AND RESTAURANTS ARE THE MOST OUTSTANDING ASPECT OF THE CITIES PEOPLE LOVE TO VISIT



REGIONALLY

New Yorkers like their parks and public spaces. Austinites love their fairs and festivals.

WHEN ASKED WHAT WOULD MAKE THEM WANT TO VISIT A NEW PART OF THEIR CITY, PARTICIPANTS OVERWHELMINGLY SAID "A NEW RESTAURANT"

46%
of respondents would venture out of their neighborhood to try a new restaurant

25%
would be incentivized to go to a new area of the city for a retail area or store

24%
would go for arts or a cultural event

18%
would check out a new park or green space

16%
would go for a sporting event

15%
would venture out to visit a nightlife venue

11%
would go for business networking purposes

REGIONALLY

Bostonians are the most likely to be enticed by a new restaurant. New Yorkers are the least likely; they are more likely to venture out for an arts or cultural event.

GENERATIONALLY

Baby Boomers venture out for arts and cultural events, Gen Xers check out retail stores, and Millennials, not surprisingly, are drawn to the nightlife.

PARKS + OPEN SPACE

The Great (Urban) Outdoors

While it's true that a city's skyline defines its character in the postcard sense, at the human scale, we identify with the spaces between buildings.

Recent research also suggests that open spaces and a high quality public realm add significant value (think real estate along Central Park in New York).

But making room for open space can be a significant challenge—especially for major, dense metropolises. Not everyone can recreate New York's Central Park.

Clearly, there are huge opportunities in existing underutilized spaces to transform them into parks. Often, these spaces are linear, like New York's High Line and Chicago's Riverwalk. These projects require design innovation and engineering ingenuity, but ultimately provide unique outdoor experiences and connective tissue between different parts of the city.

Coastal and riverfront cities are examining their waterfronts, which are a major draw when it comes to types of outdoor space. Transforming these often industrial and/or underutilized spaces can elevate the reputation of a city, enhance the well-being of its residents, and create major revenue drivers through a variety of programming options.

MOST PEOPLE REMEMBER THEIR FAVORITE CITY EXPERIENCE TAKING PLACE OUTDOORS—EITHER IN A PARK OR ON A STREET

1

PARK/ STREET

65% remember their favorite experience being in a park or on a street

2

PRIVATE BUILDING

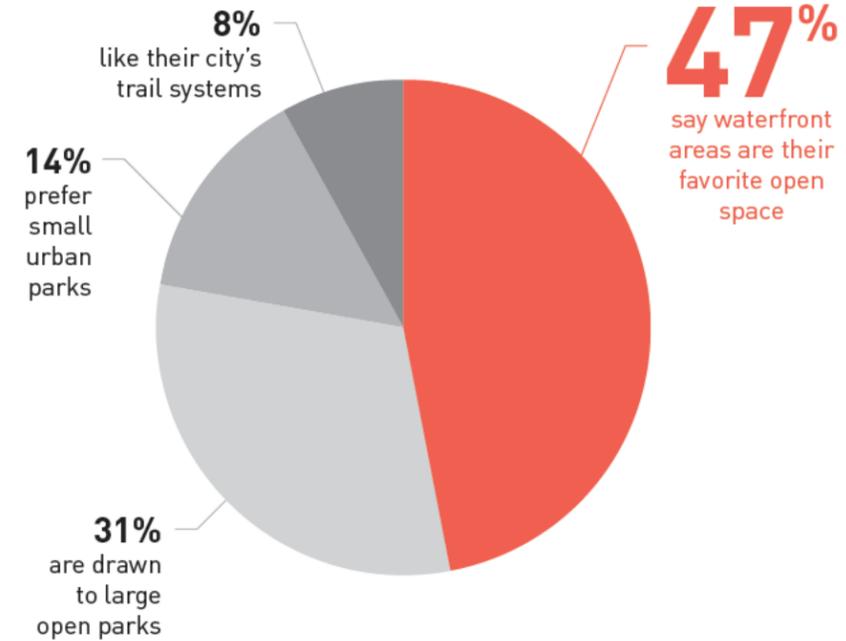
22% remember their favorite experience taking place in a private building

3

GOVT/ CIVIC BUILDING

6% remember their favorite experience occurring in a government/civic building

WATERFRONT AREAS ARE THE MOST POPULAR OPEN SPACE ACROSS THE COUNTRY



ACROSS THE COUNTRY, PEOPLE ARE LOOKING FOR THEIR CITIES TO INVEST IN MORE COMMUNITY-FOCUSED EVENTS AND ATTRACTIONS (LIKE FARMER'S MARKETS, SWAP MEETS, AND FOOD TRUCKS) FOR THEIR OPEN SPACES

FORTY SIX PERCENT

encourage community-focused events and attractions

41% support investment in making the waterfront more accessible and appealing

40% would like to see more large parks that support both passive and adventurous activities

37% wish their cities would make streets more pedestrian/bike friendly

36% support adding outdoor music and entertainment venues

31% desire more small urban parks (such as for visiting on lunch breaks)

REGIONALLY

Austinites are more likely to love their trail systems. New Yorkers are the only ones who prefer large open parks to waterfront areas.

Bostonians are least satisfied with their parks and public spaces. Even more surprising, Bostonians are very unsatisfied by their local sports scene, despite the strong loyalty and affinity for sports teams in the city. Chicago, on the other hand, is very satisfied with its sports scene, as is New York.

GENERATIONALLY

Age is a factor in preference for open space. Baby Boomers prefer waterfront areas, while Millennials and Gen Xers are more likely to hang out in a large open park.

REGIONALLY

Boston has the biggest demand for an investment in attractions like farmer's markets, swap meets, and food trucks. Bostonians would also like to see the city invest in making the waterfront more accessible and appealing, despite Boston's recent investment in the waterfront. Austinites seem fairly happy with their area events and attractions, but would like to build up their waterfront. Chicagoans are most happy with their small urban parks.

Information Superhighway

When we asked urban residents what they liked least about living and working in a city, traffic was the unsurprising winner.

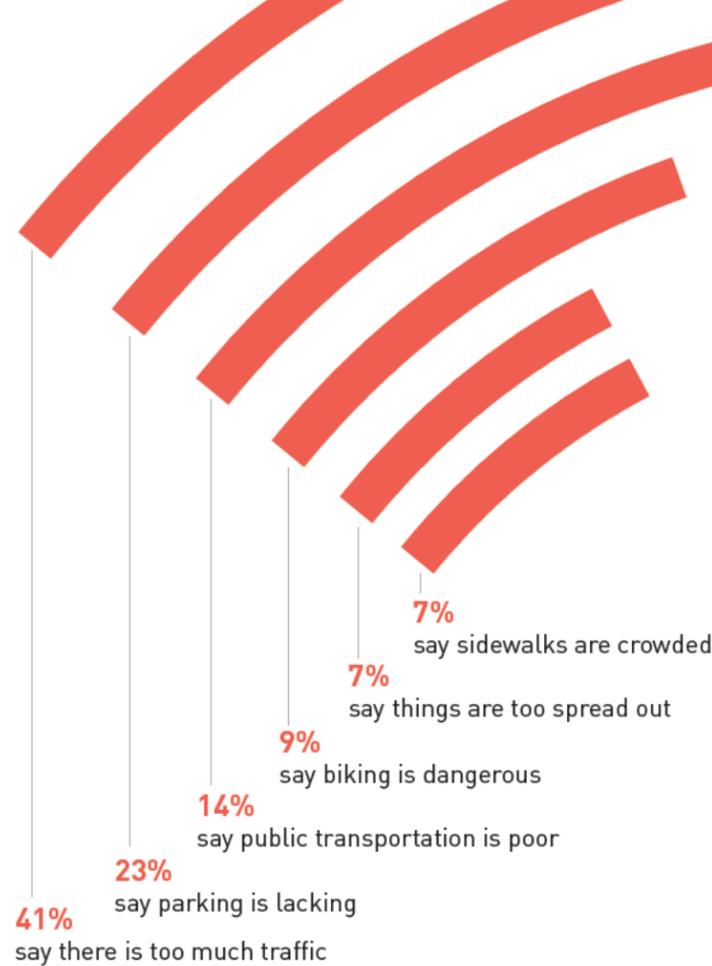
Breaking Americans of their car habit has been an ongoing battle. Transit-oriented development is the most-cited solution to encourage a less auto-centric society. (An anomaly, New York has the city-wide density to support a robust transit network.)

However, the numbers (here and elsewhere) speak loud and clear: we are still auto-dependent. We need to plan and design differently—in a way that will enhance mobility options while still acknowledging our love for the automobile.

We think new technologies offer a huge opportunity to rethink how cars can be more efficient and effective, both in terms of commuting and sustainability. Driverless cars, for example, promise safer and faster trips—and could be hitting the market in only 5 to 10 years. Driverless cars also address the issue of parking. Whereas traditional cars need multiple spaces throughout the day (home, work, gym, grocery store, home), driverless cars can park in a mega garage or further away while not in use—or even serve someone else during what would otherwise be parked time.

Ultimately, integrating mobility in the ever-expanding Internet of Things will help improve the city experience—and reduce our carbon emissions.

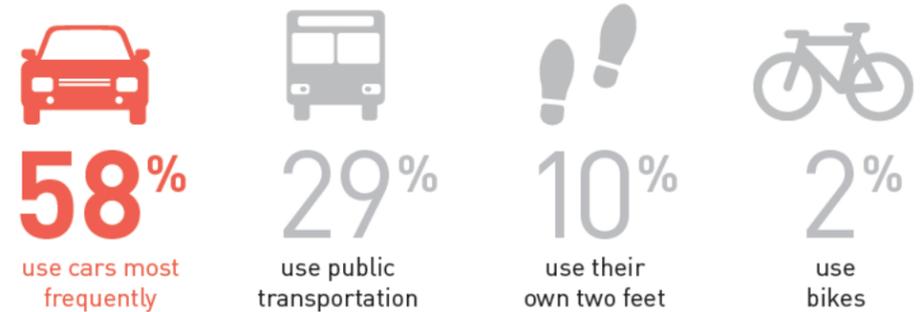
WHEN IT COMES TO TRANSPORTATION ISSUES, PEOPLE ARE MOST FRUSTRATED BY TRAFFIC



REGIONALLY

In San Francisco, locals are most frustrated by the lack of parking.

CARS REMAIN THE PRIMARY MODE OF TRANSPORTATION ACROSS THE COUNTRY



URBAN PLANNING

Back to the Future

The planet is becoming increasingly urban. And of those we surveyed, most urbanites see themselves staying in a city: a total of 60% said they plan on either living where they do now or in a different part of the city.

From an urban planning perspective, this is a great thing. In regions in which we've done the analysis, density and transit-oriented development have the best outcomes economically, environmentally, and socially.

However, some places in the US are struggling with shrinking cities. This phenomenon finds its roots in the 1956 Interstate Highway Act, which has proved to be the single largest force in shaping the development of urban centers across America. The highway program, which was intended to improve access to our great cities, also made it easier to sprawl outside of our urban confines. Once-thriving industrial cities like Detroit and St. Louis have seen more than 60% of their populations leave since 1950. The list of 36 US cities that have seen a population decrease of 20% or more over that same time period also includes places like Boston and Washington DC, though that trend is now reversing.

IN FIVE
YEARS, MOST
AMERICAN CITY
DWELLERS SEE
THEMSELVES
LIVING EXACTLY
WHERE THEY
DO NOW



16%
see themselves
still living in
the city, but are
saving to buy a
house outside
the city further
than 5 years
down the road

11%
see themselves
moving to the
suburbs

7%
see themselves
moving to a
rural area

This report helps us understand what will keep cities liveable now, and for future generations:

- Well-crafted architecture
- Engaging activities and parks
- Memorable open spaces
- Forward-looking transportation

**GINA FORD,
ASLA**

*Sasaki Principal,
Landscape Architect*

Gina is a landscape architect, principal, and chair of Sasaki's Urban Studio. The Urban Studio is an energized and interdisciplinary group of practitioners solely dedicated to the improvement of quality of life in cities through rigorous planning, exceptional design, and strong community partnerships.

Gina's work encompasses a wide range of scales and project types, from public parks and plazas to large-scale landscape planning and waterfront projects. She brings to each project a passion for the process of making vibrant landscape spaces—from the conceptual design to the details of implementation—with a particular focus on the life and use of urban, public environments.

Gina's experience is additionally informed by extensive research, writing, travel, teaching, and competitions. Her teaching includes guest critic and studio instructor roles at the Harvard Design School, MIT, and RISD. She holds degrees in Architecture from Wellesley College and Landscape Architecture from the Harvard Graduate School of Design, and was the recipient of Wellesley's Shaw Fellowship, the Janet Darling Webel Prize, the Hyde Chair at the University of Nebraska, and the Charles Eliot Travelling Fellowship.

**JAMES N. MINER,
AICP**

*Sasaki Managing Principal,
Planner*

James is head of Sasaki's planning and urban design practice and chair of the Executive Committee. His portfolio of work spans across all scales and includes urban infill projects, new communities, strategic land development, and regional planning. James also has significant experience planning for colleges and universities.

James enjoys complex, challenging projects in which the process of reaching consensus or seeking public approval is intricate and demanding. His collaborative spirit provides his teams and clients with broader ownership of key issues and of the ideas that will ensure the success of each project. James also has a passion for innovation and is always looking for new ways to use technology to improve the planning process. He is currently using several new technologies in his work including interactive online community engagement tools and modeling software that ties metrics to urban design decisions in real time.

James holds a Master of Urban Planning from the Harvard University Graduate School of Design, and a Bachelor of Science in Art and Design from the Massachusetts Institute of Technology. He is an active member of ULI and the APA.

**VICTOR W. VIZGAITIS,
AIA, LEED® AP**

*Sasaki Principal,
Architect*

Victor's work encompasses a range of project types and markets. He has rich experience with corporate campuses, interiors, and architecture, as well as with student life, student housing, and research facilities for higher education.

His practice derives valuable insights from his experience in both commercial and institutional sectors. Victor considers what the commercial world can learn from how new generations of students learn, work, and collaborate at school and, conversely, how colleges and universities can improve efficiencies, flexibility, and communication through contemporary workplace strategies. In all settings, Victor is passionate about creating spaces that foster interaction, collaboration, and community. He develops innovative solutions that are shaped by and reinforce the client's mission.

Practicing since 1994, Victor holds a Bachelor of Architecture from Cornell University. He is a member of the Boston Society of Architects and the National Council of Architectural Registration Boards, and has taught design at the Boston Architectural College.

METHODOLOGY

Sasaki partnered with Equation Research to conduct this study. One thousand people who both live and work in one of six cities (Austin, Boston, Chicago, New York, San Francisco, and Washington DC) were polled. Online research was conducted in May 2014. The margin of error on this sample is +/- 3.1 percent.

ABOUT SASAKI

Collaboration is one of today's biggest buzzwords—but at Sasaki, it's at the core of what we do. We see it not just as a working style, but as one of the fundamentals of innovation. Our practice comprises architecture, interior design, planning, urban design, landscape architecture, graphic design, and civil engineering, as well as financial planning and software development. From our headquarters in Watertown, Massachusetts, we work in a variety of settings—locally, nationally, and globally. Learn more at www.sasaki.com.

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov



CITY OF SACRAMENTO
PRESERVATION OFFICE

SEP 8 9 2014

RECEIVED

September 4, 2014

Roberta Deering
Senior Planner/Historic Preservation
Development Services Department
300 Richards Boulevard, 3rd Floor
Sacramento, California 95811

**RE: Historic Preservation Commission Review and Comment on the Nomination of
Capitol Towers to the National Register of Historic Places**

Dear Ms. Deering:

Pursuant to the Certified Local Government Agreement between the Office of Historic Preservation (OHP) and your governmental entity, we are providing your historic preservation commission with a sixty (60) day review and comment period before the State Historical Resources Commission (SHRC) takes action on the above-stated National Register of Historic Places (National Register) nomination at its next meeting. Details on the meeting are enclosed.

As a Certified Local Government under the National Historic Preservation Act of 1966, as amended, your commission may prepare a report as to whether or not such property, in its opinion, meets the criteria for the National Register. Your commission's report should be presented to the Chief Elected Local Official for transmission, along with their comments, to California State Parks, Attn: Office of Historic Preservation, Carol Roland-Nawi, Ph.D., State Historic Preservation Officer, 1725 23rd Street, Suite 100, Sacramento, California 95816. So that the SHRC may have adequate time to consider the comments, it is requested, but not required, that OHP receives written comments fifteen (15) days before the SHRC's meeting. If you have questions or require further information, please contact the Registration Unit at (916) 445-7008.

As of January 1, 1993, all National Register properties are automatically included in the California Register of Historical Resources and afforded consideration in accordance with state and local environmental review procedures.

Supplemental information on the National Register is available at our website at the following address: www.ohp.parks.ca.gov.

Thank you for your assistance in this program.

Sincerely,

Carol Roland-Nawi, Ph.D.,
State Historic Preservation Officer

Enclosures: Nomination, Meeting Notice

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**



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MEETING NOTICE

FOR: State Historical Resources Commission Quarterly Meeting

DATE: Friday, November 7, 2014

TIME: 9:00 A.M.

PLACE: Historic City Hall
Historic Hearing Room
915 I Street, 2nd Floor
Sacramento, California 95814

This room is accessible to people with disabilities. Questions regarding the meeting should be directed to the Registration Unit (916) 445-7008

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of Property

Historic name: Capitol Towers

Other names/site number: Capitol Towers and Garden Apartments

Name of related multiple property listing:
N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location

Street & number: 1500 7th Street

City or town: Sacramento State: CA County: Sacramento

Not For Publication: Vicinity:

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national statewide local

Applicable National Register Criteria:

 A B C D

Signature of certifying official/Title:	Date
State or Federal agency/bureau or Tribal Government	

In my opinion, the property <u> </u> meets <u> </u> does not meet the National Register criteria.	
Signature of commenting official:	Date
Title :	State or Federal agency/bureau or Tribal Government

Capitol Towers
Name of Property

Sacramento, CA
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4. National Park Service Certification

I hereby certify that this property is:

- entered in the National Register
- determined eligible for the National Register
- determined not eligible for the National Register
- removed from the National Register
- other (explain):

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

- Private:
- Public - Local
- Public - State
- Public - Federal

Category of Property

(Check only one box.)

- Building(s)
- District
- Site
- Structure
- Object

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Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>13</u>	<u>1</u>	buildings
<u>1</u>	<u> </u>	sites
<u>1</u>	<u> </u>	structures
<u>2</u>	<u> </u>	objects
<u>17</u>	<u>1</u>	Total

Number of contributing resources previously listed in the National Register N/A

6. Function or Use

Historic Functions

(Enter categories from instructions.)

DOMESTIC/multiple dwelling

Current Functions

(Enter categories from instructions.)

DOMESTIC/multiple dwelling

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7. Description

Architectural Classification

(Enter categories from instructions.)

Modern Movement

Materials: (enter categories from instructions.)

Principal exterior materials of the property: _____

Foundation: Concrete footing (low-rises) and concrete piles (high-rise)
Walls: Stucco (low-rises) and board-formed reinforced concrete (high-rise)
Roof: Build-up composite roofing

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

Capitol Towers is a large-scale, multi-family Modern residential complex with low-rise garden apartment buildings, a high-rise tower, and pedestrian-oriented landscapes on an approximately 10-acre superblock in downtown Sacramento, California.¹ Constructed between 1959 and 1965, Capitol Towers was among the first privately sponsored urban redevelopment projects in California. A talented design team that included architecture firms Wurster, Bernardi, and Emmons (WBE), Edward Larrabee Barnes, and DeMars & Reay, as well as landscape architect Lawrence Halprin collaborated on the design of the property. The site planning, building design and landscape architecture reflect the designers' concern less with style, trends, or architectural doctrines than with functionality, comfort, and livability. The modest, stucco-clad, deep-eave, low-rise garden apartment buildings, consisting of staggered unit modules to prevent monotonous linear blocks, fan across the superblock and shape exterior spaces such as landscaped courts, pedestrian walkways, and surface parking lots. The horizontality of the

¹ A superblock is typically a larger than usual block with no through traffic that is created by combining multiple city blocks and eliminating the streets between the blocks.

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garden apartment buildings also complements the concrete and glass high-rise building on-site and those on adjacent properties in a dynamic interplay between well-scaled horizontal and vertical elements. At the center of the property is a central plaza and swimming pool. Derived from Garden City principles, Capitol Towers is an internal, pedestrian-oriented property with shared interior landscaped areas, and automobile and service uses placed at the periphery. Unlike garden apartment complexes that are insular and in suburban settings, Capitol Towers maintains an urban street presence with the low-rise units fronting city streets, parking lots pulled inward as interior courts, and a sense of openness, order, and permeability that connects with the surrounding street grid. Despite alterations of some features on resources across the property, Capitol Towers retains adequate integrity of its primary spatial relationships, residential buildings, and landscape features to convey its significance.

Narrative Description

Overview

Capitol Towers contains a total of 17 contributing resources and one noncontributing resource. It has 13 contributing buildings constructed in three phases between 1959 and 1965:

- Eight (8) low-rise garden apartment buildings
- High-rise tower (1)
- Three (3) laundry/lounge buildings
- Parking garage (1)

The designed landscape that links the property together is a contributing site. The landscape has a number of features and elements that also contribute to the significance of the property, including the central plaza, secondary courtyards, landscape courts, and small-scale features. The swimming pool near the center of the property is a contributing structure. The sculptural wall by Jacques Overhoff and the circular fountain in the central plaza are contributing objects. The pool house is a noncontributing building due to renovations and an expansion that have impacted its integrity.

Setting

Capitol Towers is located in downtown Sacramento, less than a mile east from the western bank of the Sacramento River, about a quarter mile west of the California State Capitol building, and a block south of Capitol Mall. The urban setting around Capitol Towers consists predominately of mid- and high-rise government and commercial office buildings constructed in the second half of the twentieth century as part of Sacramento's urban redevelopment and renewal efforts. State and federal multi-story office buildings line the block north of Capitol Towers along Capitol Mall. The 20-story State Office Buildings 8 & 9 built in 1969 are located off the southeast corner at P Street and Seventh Street. Governor's Square, a 1970s residential complex with three-story multi-family apartment buildings arranged around a central pool, is located a block southwest of Capitol Towers. A low-scale office building with a roof-top garden is situated across Seventh Street from Capitol Towers. Heilbron House, a historic 1881 residential building, is the one

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remaining residential building on Seventh Street across from Capitol Towers surrounded by surface parking.

Capitol Towers occupies most of the four-block superblock bounded by N Street to the north, Seventh Street to the east, P Street to the south, and Fifth Street to the west. Two separately owned properties, approximately one acre each, are also on the superblock. At the northwest corner near N Street and Fifth Street is Bridgeway Tower, a high-rise condominium tower and its two-story parking garage. At the southwest corner near P Street and Fifth Street is Pioneer II, a senior housing apartment tower and its surface parking lot. These high-rise buildings were developed separately in the late 1970s and early 1980s subsequent to Capitol Towers and are not part of the nomination.

Site Overview

Capitol Towers consists of three legal parcels that together form an irregular, stepped site plan. The eastern half of the property spans between N Street at the north and P Street at the south. The property boundary steps westward and extends to midblock to Fifth Street between the Bridgeway Tower and Pioneer II parcels.

The superblock has no vehicular access through the interior of the property. The main pedestrian entrance into Capitol Towers is located at the west edge on Fifth Street, aligned with O Street. Pedestrian walkway entrances are also placed at the north at N Street and south at P Street between Capitol Towers and the adjacent properties. Capitol Towers' low-rise apartment buildings, lawns, and mature trees line the city streets at the corners of N and Seventh Streets, and P and Seventh Streets. Its high-rise residential tower is located toward the center of the property and is generally visible from nearby streets. Surface parking and service courts are toward the property's edges, framed by low-rise apartment buildings and accessed through narrow curb cuts at the street front. A four-level parking garage and a surface parking lot are along the Seventh Street edge.

Contributing Resources: Buildings

Within Capitol Towers are two main residential building types: two- and three-story garden apartment buildings and a high-rise apartment tower. Ancillary buildings include three one-story laundry/lounge facilities and a four-story parking garage.

Low-Rise Garden Apartment Buildings

Each of the low-rise garden-apartment buildings consists of staggered unit modules connected by open breezeways and a continuous flat, built-up roof with a unifying four-foot deep eave of exposed wood rafters and boards. The wood-frame unit modules are clad in stucco and supported on a concrete foundation. Some modules are bisected by concrete block firewalls that extend above the roofline.

Each two-story module contains two or four units (one or two per floor). The three-story modules, located at the end of some buildings, contain a first-floor flat and a two-story unit on the upper floors. There are six unit types, ranging from studio to three-bedroom layouts.

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The unit entrances are located in the breezeways, both at the first floor and up wood stairs with metal railings to the second-floor units. The primary fenestration is a tall, tripartite aluminum-framed window unit with casement windows (one operable, one fixed) above a single, fixed pane of glazing. The windows are in regular patterns, and the pattern varies based on the unit types. A horizontally oriented, aluminum-framed sliding window appears in some breezeways.

Each unit has an outdoor space accessed through an aluminum-framed sliding glass door with one or two fixed, full-height glazing. The first-floor units have private patios enclosed by wood-board fencing topped by open-framed rails that are generally oriented toward the surface parking and service courts. The second-floor units have wood balconies with metal railing and are oriented to the opposite façade from the patios to protect privacy. The balconies generally face landscaped lawns and walkways toward the superblock interior or city streets. Privacy and shading are further enhanced for the patios with wood-slat overhangs above first-floor sliding glass doors.

High-Rise Tower

The high-rise apartment tower is a 15-story, rectangular building that is oriented lengthwise along the superblock's east-west pedestrian axis. It is a reinforced concrete building on a foundation of concrete piles. The roof consists of a flat roof with air conditioning, roof-top equipment, and a screened cooling tower mounted on the top surface.

The high-rise has a partially recessed base, a middle shaft of apartment units with balconies, and a projecting penthouse level. Its exterior is primarily aluminum-framed glazing and board-formed concrete with a vertical board pattern. The corners of the middle section are clad in grey stone veneer tile. The upper stories are defined by a series of horizontal bands that separate each floor. The north and south façades feature bays of projecting concrete balconies. Each façade has a unique and asymmetrical composition with its vertical orientation reinforced by the stacking of balconies and windows.

The south façade has one group of three adjoining balconies and one group of four adjoining balconies. Full-height partition walls divide the balconies, which have low concrete end walls and metal railings. Each balcony contains a glazed wall with a full-height sliding glass door and two full-height fixed glazed panels. Between the balcony groupings and at the east and west ends of the south façade are two bays of aluminum-framed windows separated by board-formed concrete walls. These full-height, four-lite window units have a fixed top and bottom lite and a pair of operable casement windows in the center.

The north façade is similar to the south façade. The central bay has three adjoining balconies, while the east bay has two adjoining balconies and the west bay has a single balcony. Pairs of four-lite casement window units are located between the balcony bays and at the east and west ends of the north façade.

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The west façade has two bays of balconies, one at each end. Between the balconies is vertical board-formed concrete and an open, recessed stair landing with fire doors and metal railing. Each balcony has concrete end walls and metal railing, as well as a sliding glass door and a pair of aluminum-framed casement windows with a fixed top lite. The east façade has two bays of shallow balconettes with full-height sliding glass doors. Gray stone veneer tiles clad the façade at the north and south ends, while board-formed concrete and recessed stair landings are located between the balconette bays.

At the top of the building is a projecting, continuous balcony with metal posts and railing around all façades. The penthouse units are recessed from the balcony edge, with full-height windows and sliding doors, and divided by full-height partitions between units. The high-rise tower contains studio, one-bedroom, and two-bedroom apartment units along a double-loaded corridor, while three-bedroom units are at the penthouse level.

The partially recessed ground floor has a shaded colonnade of board-formed concrete columns on the north and south sides, while the west end serves as an open breezeway. The east end's south corner is partially enclosed in newer glazing to the concrete columns while the northeast corner storefront glazing is set back from the columns. Non-original stone veneer tiles clad the base of the concrete columns. The ground floor contains full-height aluminum-framed storefront windows for the building lobby, retail, office, and restaurant spaces.

Laundry/Lounge Buildings

There are three, one-story, concrete block buildings on the property constructed with the low-rises between 1959 and 1961. Originally all designed to function as laundry buildings, one building at the northwest corner of the property is now a lounge for residents. The two buildings that continue to serve as laundry facilities are located at the southwest corner of the superblock and north of the high-rise tower.

These simple buildings are rectangular in plan with flat roofs and four-foot deep wood eaves with exposed rafters similar to the low-rise garden apartment buildings. The buildings primarily have door openings and occasional window openings on various façades. The door openings are in two sizes, single or double wide, and are raised a step above grade. The single-wide doors have a partially glazed door or a hollow metal door. In the double-wide doorways are paired hollow metal doors or a non-original door and window system with a single, partially glazed door flanked by vinyl double-hung windows above a solid panel. Above all the doors is an opaque transom. At the east façade of the laundry building near the high-rise tower, a window opening has a non-original multi-lite sliding vinyl window.

Parking Garage

The parking garage is a four-level split-level building. Constructed with the high-rise tower between 1963 and 1965, it is located along the eastern edge of the property, alongside Seventh Street and southeast of the high-rise apartment tower. The garage is reinforced concrete and accessed through exit-entrance ramps on the ground floors of the north and south sides. All levels are edged with exterior half-walls and pipe guard railings. Two exterior stairwells protrude

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from the north and south sides. An elevator shaft also protrudes from the north side of the garage, adjacent to the stairwell.

Contributing Resource: Site

The site's landscape design is an integral part of Capitol Tower and includes several important aspects: the spatial organization and circulation within in the property, placement and relationships of the buildings to each other and to the landscape, specific landscape features, views and vistas, and small-scale features.

Spatial Organization

Much of Capitol Towers' spatial arrangement stems from the rectilinear pedestrian axes that divide the complex into four smaller garden-oriented quadrants. The historic city grid streets, O Street and Sixth Street, were repurposed as pedestrian access routes that were integrated into the superblock organization. Low-rise garden apartments with shared lawns line the main pedestrian axes similar to a city street. The intersection of the pedestrian axes forms Capitol Towers' central plaza where its distinct sculptural wall is a focal point and helps with orientation. Other community amenities are near the center, including a communal swimming pool and the high-rise tower with its ground-floor restaurants, shops, and offices. The east-west axis zigzags around the central plaza to continue as a walkway between the swimming pool and the tower.

Building Placement and Relationships

Two low-rise garden apartment buildings are in each quadrant of the superblock. The long, narrow buildings are roughly L-shaped, linear, or zigzag in plan and are sited relative to each other to line the main axes as well as create secondary landscaped courtyards. At the property periphery, the buildings surround surface parking and service courts while also fronting city streets at the southeast (P and Seventh Streets) and northeast (N and Seventh Streets) edges with small lawns. The building arrangement allows for shared open green spaces, private outdoor spaces, convenient access to automobile parking, and an urban presence for the property.

The high-rise apartment tower, located in the northeast quadrant toward the center of the superblock, is visible from within and from outside the property. While the tower is adjacent to both surface parking and the four-level parking garage at the eastern edge of the property at Seventh Street, it is also surrounded by pedestrian walkways and landscaped areas that connect it to the low-rise apartment buildings, central plaza, and pool area without overwhelming them.

Three one-story ancillary buildings used for laundry facilities and as a lounge with adjacent former playground spaces are located at the northwest and southwest corners of the property and north of the high-rise tower.

Circulation

In addition to the main pedestrian axes, smaller walkways branch off from the main axes through the lawns and courtyards of the interior green spaces, leading to the residential units. These branches extend into the low-rise apartment buildings through the breezeways that separate the unit modules. Pedestrian access extends further beyond the residential units to the parking

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facilities, which allows for easy access between one's automobile and residence without impeding pedestrian flow of the central areas. Other paths extend to the ancillary buildings and the high-rise tower.

Most pedestrian paths are paved with concrete and are straight and rectilinear in orientation, with the exception of one curving pathway along the southern part of the west main pedestrian axis. This pathway interrupts the grid-like pedestrian routes that extend to the residential units and provides an alternate walking experience through the superblock.

With the automobile circulation limited to the property's periphery, six automobile access drives lead to interior surface parking and service courts and the four-level parking garage: one enters at the northeast side from N Street, one at the southeast side from P Street, two on the west side from Fifth Street, and two on the east side from Seventh Street flanking the parking garage.

Landscape Features

The landscape design at Capitol Towers is defined by public common spaces, semi-public shared lawns, secondary courtyards between buildings, landscaped courts, and private outdoor spaces such as patios and balconies. Each of the 409 residential units (206 in low-rise buildings and 203 in the high-rise tower) has a private rear patio or balcony. Some existing site and street trees were retained and incorporated into the design, while new trees were planted at the time of construction; all have matured into full canopies on the property. The ground cover is primarily grass lawns that connect in front of the low-rise buildings and low plantings around pathways and the low-rise modules.

The central plaza is a paved area formed by a widened section of the north-south walkway axis. The plaza contains a grid of London plane trees set into concrete pavers, along with a low circular fountain at the southeast corner. Anchoring the plaza at the eastern edge is a long sculptural wall designed by Jacques Overhoff.

In addition to the shared lawns, several public landscaped courts are found throughout Capitol Towers. These landscaped courts typically have grids of trees providing shade; grass, low plantings, gravel, or other ground cover; and wood-slat benches. They offer a transition and entry point at each surfacing parking lot at the property. They also are located near the north and south pedestrian entrances as a buffer to the two towers that are not part of the property. The landscaped court at the north end of the superblock, located west of the north-south main walkway, is a sunken court.

Views and Vistas

The views and vistas at Capitol Towers are established by the landscape orientation. The main axes and rectilinear pathways frame the property and establish a series of forced axial perspectives that are softened by the staggered, informal garden apartment buildings and irregular and more picturesque plantings. The breezeways between the unit modules and the landscape courts also serve to frame views as a transitional experience between the superblock interior and the peripheral parking facilities.

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Views from the first-floor units of the low-rise apartment buildings are restricted by walls that enclose private patios. The upper story units have balconies at the opposite side of the building overlooking interior green spaces rather than infringing upon the privacy of the first-floor patios.

Views and vistas from the high-rise apartment tower vary, depending on height and orientation. They prominently feature the Capitol Towers property and landscaping, downtown Sacramento, the State Capitol, Interstate 5, and the Sacramento River.

Small-Scale Features

Capitol Towers contains a number of small-scale features set within the landscape. They include benches, banner flag posts, globe light posts, trash receptacles, and planting zones and containers. The wood-slat benches and trash receptacles are from the original construction of Capitol Towers. Wood-board garbage enclosures with open-framed top rails are found within the parking lots and also date to original construction. Non-original features include metal benches, globe light heads on light posts, banner sign posts, aggregate concrete trash receptacles, and slate edging at planting zones. All units have non-original number signage and exterior frosted-glass light fixtures.

Contributing Resource: Structure

The swimming pool near the center of the property is one of the shared community amenities for residents of Capitol Towers. It is rectilinear and is oriented lengthwise along the east-west axis with the deep end toward the eastern end. The pool is approximately 75 feet long by 35 feet wide with a smooth plaster finish on the interior and a line of ceramic tile at the inner rim. A concrete edge surrounds the pool.

The pool is set within a large patio area with concrete pavers. A non-original hot tub is also in the patio area. A glass panel fence along its north, east, and south sides encloses the pool patio, and the pool house is located at the southern side.

Contributing Resource: Objects

Sculptural Wall

Artist Jacques Overhoff designed the approximately 100-foot, free-standing sculptural wall in the central plaza for Capitol Towers. The wall is comprised of several panels of cast concrete with a bas relief of abstract shapes that serves as a focal point and defining edge to the plaza. The artwork is signed "Overhoff, '61" in the lower right corner and has since been painted. An alternating pattern of linear manufactured stone tiles clad the back of the wall that faces the swimming pool, and is not the original finish.

Circular Fountain

Also in the central plaza at its southeast corner is a low, circular fountain. It is placed in front of the sculptural wall, with a grass strip separating the two. The poured-in-place concrete fountain is a wide basin with a board rim on a concaved, recessed base. The basin is approximately 20 feet in diameter and the rim is about 15 inches above the central plaza's concrete pavers. The

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concrete rim has been painted. The basin interior has a smooth plaster finish with a line of ceramic tile at the inner rim. Four water jets operate from the center of the basin.

Noncontributing Resource: Building

A stucco-clad pool house stands south of the swimming pool. It is L-shaped with a flat roof and bisected by a glass-enclosed passageway. The east section of the pool house has two large full-height window openings with aluminum-framed fixed windows at the north façade; at the south façade is another large opening with full-height fixed aluminum-framed windows. The west section of the pool house is entirely enclosed by stucco walls. A slight fascia steps outward below the roofline.

The pool house, part of which was originally a laundry building, was constructed along with the pool in 1961. In 2005-2006, the approximately 1,900 square-foot building was remodeled on the interior and expanded by 500 square feet at the east end.² The central passageway was enclosed with glazed fencing, and window systems were replaced.

Alterations

Although changes have occurred to the property since the completion of the tower in early 1965, most alterations at Capitol Towers have occurred to minor component elements rather than to any major building or landscape features, spatial relationships, or site design concepts. The property underwent repairs and renovation between 2001 and 2006. The most notable change is found in the breezeways, where wood-slat screens have been removed from the second-floor landings, the open-tread stairs have been closed, and wood railings have been replaced with metal railings. The original wood stairs and underlying wood structure remains.

At the balconies of the garden apartment buildings, the wood-paneled railings have been replaced with open metal railings, and while the private patios originally had wood-board enclosures, they did not have the open-framed top rails. The boxed-framed sliding windows that appear occasionally among the garden apartment buildings do not appear original, and the lower glazing at some window units have been covered with solid board. Wood finishes and stucco exteriors that had integrated color have typically been repainted.

Modifications to the high-rise tower include the addition of stone veneer tile to the base of the concrete columns to a height of approximately three feet, and gray veneer tile to the corners of the upper floors. The ground floor's southeast corner was enclosed with aluminum-framed glazing in 2002 for a lobby expansion.³

In the laundry and lounge buildings, most of the single-wide partially glazed doors appear to have been replaced with doors that also are partially glazed and paneled at the bottom. Some of the double-wide door openings originally had aluminum-framed sliding glass doors that have generally been replaced by a single-wide partially glazed door flanked by sidelites with operable windows above a solid panel. It is not clear if the single window opening at the east façade of the

² City of Sacramento Permit No. 0505817, issued September 7, 2005.

³ City of Sacramento, permit no. 0114121, issued January 18, 2002.

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laundry building near the high-rise tower is original. A non-original multi-lite sliding vinyl window has been installed. The building at the northwest corner of the property was converted into a lounge building in 1965-1966.⁴

The landscape and small-scale features have had minor alterations in some locations. In the central plaza, box hedges have been added around each tree in the grid. Metal benches have replaced the original wood-slat benches with curved backs in the central plaza, though examples of the original benches remain in other locations on the property. The Jacques Overhoff sculptural wall has been over-painted, concrete planters have been removed, and the fountain's water jets altered. However, the central plaza retains its organization, key signature features and its relationship to other design elements at Capitol Towers. In other areas of the property, some plantings have been altered but landscaped areas remain softscape spaces. Playground equipment has been removed from outside of the laundry buildings, with one area now used as a pet park. Among the street furniture, the original globe light standard has been replaced throughout the property with a similar round globe-topped fixture. Some wood-slate trash cans have been replaced with concrete-aggregate trash receptacles, and all original informational kiosks have been removed.

The swimming pool is in its original location and generally retains its original shape. It has new plaster, tile, and lights from a 2002 renovation.⁵ The metal-framed glass fencing around the pool is not original, nor is the hot tub, which was added in 2005-2006.⁶ Smaller concrete pavers have replaced the original scored concrete paving at the pool patio. The back of the sculptural wall facing the pool has been altered more than once, and currently features linear manufactured stone tile.

Integrity

As a whole, Capitol Towers retains sufficient integrity of urban design concepts, spatial organization, circulation patterns, primary residential buildings, and key landscape features to convey its significance, despite alterations to component elements. It retains all seven aspects of integrity.

Location

The Capitol Towers complex has not been moved and retains integrity of its location. No major buildings or resources have been demolished or relocated.

Design

The composition, balance, and juxtaposition of the low-rise garden apartment buildings and high-rise tower, arranged to shape associated open spaces, is a major organizational design component of the Capitol Towers property that remains clearly evident. All defining elements of the design are extant. This includes the staggered setbacks of the garden apartments, the

⁴ City of Sacramento, permit no. 14-2337, issued November 16, 1965.

⁵ City of Sacramento, permit no. 0210273, issued July 30, 2002.

⁶ City of Sacramento, Design Review file DR05-201 approved June 24, 2005 and permit no. 0600454, issued March 10, 2006.

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opposing patio and balcony orientations of the lower and upper garden apartment units, prominent circulation patterns, the open central plaza, varied softscape and hardscape areas, and parking locations at the outer edges. The spatial relationship between the low-rise and the high-rise buildings and the composition of built and landscape features has not been altered.

The loss of some design features on contributing resources, including wood-slat screens in the breezeways and wood paneled balcony railings, somewhat alters the appearance of the low-rise buildings. The buildings retain adequate integrity in form, massing, layout, materials, and other character-defining design features: unifying deep eaves, original aluminum window units, and wood-slat sunshades at the patios. The high-rise tower retains integrity despite the addition of stone tile cladding along the corners of the middle section and at the base of its concrete columns and alterations to the first floor. The buildings are all intact, retain the primary components found in the original design, and continue to be contributing resources to the property.

Despite cosmetic alterations to and around the swimming pool and the loss of some street furniture, including the original globe light standards, kiosks, some wood-slat benches, and trash receptacles, the landscape design maintains a hierarchy of spaces and uses among communal, semi-public, and private spaces. The planting plan supplements and enhances circulation and plan composition. Tree planting arrangements and prominent species are mature and character-defining. As such, the overall site landscape at Capitol Towers retains integrity.

The concrete block laundry and lounge buildings retain integrity in form, material, massing, and design, with the presence of their simple shape and deep overhang. Some new doors and windows have replaced the originals within existing openings, and generally these buildings retain sufficient integrity to be contributing resources.

Setting

The setting at Capitol Towers has not been significantly altered since the property was constructed. The surrounding context continues to be a fairly dense urban environment. The addition of two towers at the northwest and southwest corners, in areas planned for towers and constructed separately from Capitol Towers, does not adversely affect the setting of Capitol Towers. The two corner residential towers are compatible in height and massing to surrounding towers, and like the centrally located high-rise building, create a complementary interplay of vertical and horizontal massing.

Capitol Towers continues to be successful as a pedestrian-oriented, multi-family housing community in a park-like setting with a measured spatial arrangement of integrated built and landscaped areas. As such, Capitol Towers retains its integrity of setting.

Materials

Capitol Towers has lost some original materials—most notably the wood-slat screens at the breezeways, wood panel balcony railing of the garden apartment buildings, original globe light standard, and kiosks. The primary built and landscape resources retain the majority of original

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materials and the selective removal of materials does not detrimentally affect the overall property's integrity. Therefore, the property retains integrity of materials.

Workmanship

Similarly, the loss of some original materials has resulted in the loss of some workmanship, though the most notable examples of workmanship remain. This includes the board-formed concrete in a vertical board pattern on the high-rise tower, the wood-framed extended eaves, and the formed cast panels which comprise Overhoff's concrete sculptural wall. This original piece, despite being painted, continues to serve as a focal point to the central plaza. Overall, the property retains integrity of workmanship.

Feeling

The overall feeling of Capitol Towers remains that of a large-scale, pedestrian-oriented multi-family residential complex, as it was originally designed and developed. The pleasant outdoor environment and communal atmosphere is a testament to the concepts of the original design, efforts that brought together a combination of architectural, landscape, and artistic features to create an engaging urban residential complex. Although the removal and replacement of some architectural elements affect the period feel, Capitol Towers still conveys the feeling of a complete residential community with a midcentury Modern plan and composition.

Association

Capitol Towers retains its integrity of association with early urban redevelopment in Sacramento and California. Despite some alterations, its essential form, design, and spatial organization have not changed from when it was constructed between 1959 and 1965. The components of the program and site plan are present and active. The complex is surrounded by other buildings and properties that are part of the Capitol Mall Redevelopment Project, including the Federal Building directly to the north that was constructed shortly after Capitol Towers' initial low-rise units were built.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B. Property is associated with the lives of persons significant in our past.
- C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- A. Owned by a religious institution or used for religious purposes
- B. Removed from its original location
- C. A birthplace or grave
- D. A cemetery
- E. A reconstructed building, object, or structure
- F. A commemorative property
- G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

Community Planning and Development

Architecture

Landscape Architecture

Period of Significance

A: 1959-1965

C: 1965

Significant Dates

1959—Construction began

1960—First 92 low-rise units completed

1961—Sculptural wall installed

1961—Final 114 low-rise units completed

1963-1965—High-rise and parking garage constructed

Significant Person

(Complete only if Criterion B is marked above.)

Cultural Affiliation

Architect/Builder

Wurster, Bernardi, and Emmons

Barnes, Edward Larrabee

DeMars & Reay

Halprin, Lawrence

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Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

Capitol Towers, constructed between 1959 and 1965 on most of a four-block area in Sacramento, California, is locally significant under Criterion A in the area of Community Planning and Development as the residential component and inaugural privately sponsored development in Sacramento's first realized urban redevelopment area, the Capitol Mall Redevelopment Project. The initial construction of 92 garden apartment units, starting in 1959 and completed in 1960, represented the first private investment in Sacramento to replace the blighted neighborhoods demolished by the Sacramento Redevelopment Agency (SRA) under slum clearance. As SRA'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 locally significant under Criterion C as a well-planned example of urban redevelopment housing. Not only does its pedestrian-oriented design combine low-rise and high-rise buildings, integrated landscape features, and amenities for its residents, the design also maintains a strong urban presence while balancing privacy and community for its residents. Capitol Towers exhibited 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, Capitol Towers was the first redevelopment project constructed by many of its talented design team that included Wurster, Bernardi, and Emmons, Edward Larrabee Barnes, DeMars & Reay, and Lawrence Halprin, and reflects their social and aesthetic philosophies. In particular, Capitol Towers embodies the design and planning approach of Wurster, Bernardi, and Emmons applied to a large urban property, and is considered by Lawrence Halprin to be his first urban plaza.

As the final components of the property, the high-rise tower, and the four-level parking garage were completed in early 1965, the period of significance under Criterion C is 1965. Just a few months shy of the fifty-year mark at the time of nomination, Capitol Towers is effectively fifty years old and the need to satisfy Criteria Consideration G is waived.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Constructed in three phases between 1959 and 1965, Capitol Towers occupies most of a four-block area south of Capitol Avenue that was earmarked for multifamily residential housing in Sacramento Redevelopment Agency's 1954 Capitol Mall Redevelopment Project. Developer James Scheuer and a design team consisting of Wurster, Bernardi, and Emmons (WBE), Edward Larrabee Barnes, DeMars & Reay, landscape architect Lawrence Halprin, as well as local Sacramento firm Dreyfuss & Blackford, and New York-based Mayer, Whittlesey & Glass, created a more informal, people-oriented housing complex in contrast to the tower-in-the-park

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model that had already come to define urban redevelopment housing by the late 1950s. Despite the limits imposed by Federal Housing Administration (FHA) mortgage insurance, the talented team employed thoughtful planning, architectural design, and landscape design to realize a highly livable community in the heart of California's capital.

Redevelopment in Sacramento

As suburbanization accelerated in American metropolitan areas in the years after World War II, urban cores drastically diminished in importance as commercial, residential, and business centers. Crowded and unsanitary housing conditions in American cities from the late nineteenth and early twentieth century galvanized reformers to push for slum clearance, and the situation worsened with the lack of investment during the Great Depression and World War II.⁷ In California, the state legislature passed the California Redevelopment Act in 1945 to provide state funds for local improvement projects. The Act allowed a municipality to acquire property deemed blighted, clear it, and sell or lease it to a private developer to create new uses that complied with the community's general plan and remained in the public interest.⁸ Substantial funding came with the passage of the Federal Housing Act of 1949, which provided two-thirds the cost for slum clearance as well as funding for construction of publicly owned housing.⁹

Sacramento developed an initial redevelopment plan in 1950 focused on the West End, the area stretching from the Sacramento River east to Seventh Street and south of the Southern Pacific Depot to K or S Street.¹⁰ Designed by Richard Neutra and Robert Alexander, the plan called for extensive slum clearance and the construction of high-rise public housing along the riverfront. The project stalled after business interests opposed the public housing component and the relocation of existing residents, including the Chinese community and many single men working as laborers, met resistance.¹¹

In 1954, amendments to the Federal Housing Act weakened the link between public housing and redevelopment.¹² This opened the way for commercial uses to play a role in the urban redevelopment process, as well as provide special FHA mortgage insurance guarantee, initially under Section 220, for private development of multi-family residential housing in urban redevelopments areas.¹³

⁷ R. Allen Hays, *The Federal Government & Urban Housing*, (Albany: State University of New York Press, 2012), 166-167.

⁸ Ken Lastulka, "Redevelopment of Sacramento's West End, 1950-1970: A Historical Overview with an Analysis of the Impact of Relocation," (MA thesis, California State University, Sacramento, 1985), 24-25.

⁹ Hays, 168 and Seven M. Avella, *Sacramento: Indomitable City* (Charleston SC, Chicago IL, Portsmouth NH, San Francisco CA: Arcadia Publishing, 2003), 127.

¹⁰ Avella, 126. A part of Old Sacramento, the West End's aging buildings had deteriorated and the area embodied the perception of urban ills with high crime, bars, places of ill-repute, and flop houses. It was also where many single men working as laborers lived, and overlapped with several ethnic neighborhoods. To the established powerbrokers, it was a blighted area that was preventing the city from booming and urban redevelopment was an opportunity to remake the area.

¹¹ William Burg, *Sacramento's K Street, Where Our City Was Born*, (Charleston: The History Press, 2012), 133.

¹² Hays, 169. The 1954 Housing Act also changed the program's name from urban redevelopment to urban renewal. For the sake of consistency, "urban redevelopment" is used throughout this nomination.

¹³ Hays, 174.

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A new redevelopment plan emerged from the Sacramento Redevelopment Agency (SRA), an independent urban redevelopment entity separate from the City of Sacramento. The new plan focused on the Capitol Mall area between the West End and the State Capitol. This plan for the Capitol Mall Redevelopment Project (Project 2-A) encompassed 15 blocks north and south of Capitol Avenue between portions of Third and Eighth Streets. The plan assigned new land uses intended for public buildings, parking, commercial, and housing. A four-block area—one block south of Capitol Avenue, between N and P Streets and Fifth and Seventh Streets—was designated for multi-family housing.¹⁴

In order to tap the federal funds, the City needed to match one-third of the plan's cost. Sacramento attempted to pass a bond measure in 1954 to fund the redevelopment project, and the city's voters rejected the measure. Instead, SRA used a provision of the state's Community Redevelopment Law for an innovative financing mechanism now known as tax increment financing.¹⁵ Tax increment financing freezes property tax revenue in the redevelopment area at a baseline level for entities other than the redevelopment agency; increases in property tax over the baseline are returned to the redevelopment agency with the assumption that the increase in value was created by the redevelopment agency's investment. This allowed the SRA itself to issue a bond without the need for voter approval, with the expectation that future tax revenues from the increased property values would pay for the bond.¹⁶

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Even with the Capitol Mall Project approved and financing secured, SRA spent several years developing and implementing plans for land acquisition, resident relocation, and land clearance, as well as attracting private developers willing to develop projects on the cleared land. SRA selected various developers for different parcels rather than a single developer to take on the entire project area.¹⁷ In 1958, SRA selected New York-based James H. Scheuer and Roger L. Stevens to develop the multi-family housing parcel.¹⁸ As president of Renewal and Development Corporation (RDC), Scheuer had previously developed urban redevelopment housing in cities like Washington, DC, St. Louis, and Cleveland, and he would go on to develop others in San Francisco and San Juan, Puerto Rico around the time of Capitol Towers.¹⁹

¹⁴ Tom Arden, "Officials See Completed Plan of Capitol Mall Redevelopment," *The Sacramento Bee*, August 27, 1955.

¹⁵ Daniel S. Maroon, "Redevelopment in the Golden State: A Study in Plenary Power under the California Constitution," *Hastings Constitutional Law Quarterly*, Vol. 40:2, Winter 2013, 454.
<http://www.hastingsconstlawquarterly.org/archives/v40/Maroon%20Final.pdf>

¹⁶ Richard Trainor, *Floor, Fire and Blight: A History of Redevelopment in Sacramento*, (Sacramento: Sacramento Housing & Redevelopment Agency, 1991), 34-35.

¹⁷ Trainor, p 37 and Allan Temko, "Sacramento's Second Gold Rush," *Architectural Forum*, October 1960, 129.

¹⁸ "NY Firm Gets Signal to Start Designing \$15,000,000 Mall," *The Sacramento Bee*, January 14, 1958. According to Temko, "Sacramento's Second Gold Rush," Stevens, a theater producer and real estate executive, later withdrew due to heavy commitments elsewhere.

¹⁹ Kurt F. Stone, *The Jews of Capitol Hill: A Compendium of Jewish Congressional Members* (Lanham, MD: Scarecrow Press Inc, 2011), 227. Scheuer was elected to Congress in 1964 representing New York and served for 13 terms until his death in 2005. See Jennifer S. Lee, "James H. Scheuer, 13-Term New York Congressman, Is Dead at 85," *New York Times*, August 31, 2005.

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Scheuer and his design team presented the design proposal for Capitol Towers in March 1958, "climaxing nearly eight years of preparatory work," by SRA.²⁰ Expected to be "the first federally assisted residential slum clearance development to be constructed in the western states," the newly named Capitol Towers would have three 15-story towers and two hundred garden apartment units in two- and three-story buildings in a staggered pattern to "give the project a style relieved of architectural monotony."²¹ Each apartment would have an outdoor living space, either a balcony or a patio, and near each tower would be a court with a different recreational theme --such as an activity area with a pool, a sunken garden, and a tree-shaded area. Other suggested amenities included a play area with sculptures for children, an outdoor telephone booth disguised as a Parisian kiosk, large sundials, sculptures, and a fountain. A poppy motif in various colors would be carried throughout the development.²²

The plan was to construct all the garden apartments and one tower first, and then to construct the other two towers as Sacramento's apartment market warranted. While groundbreaking was anticipated later in 1958, the project plans still needed official SRA approval, concurrence by the federal government, and a purchase price that was acceptable to SRA. These approvals and negotiations delayed the start of the project as Scheuer and his team refined the designs to bring the project in line with FHA financing requirements.²³ In the meantime, Scheuer and WBE urged SRA not to approve a street widening plan around the property, as it would uproot more than 90 street trees that they believed would "add greatly to the attractiveness of the project."²⁴

The initial phase of 92 low-rise units was built in 1959 and 1960 within the northern half of the superblock and dedicated at the end of 1960. The remainder of the low-rise buildings, 114 units in all, opened in mid-1961, just after the sculptural wall was installed in the central plaza.²⁵ In March 1963, construction began on the 15-story high-rise tower, containing 203 units. The four-level parking garage along the east side at Seventh Street was constructed with the high-rise. The tower was dedicated in January 1965, marking the completion of the final significant component of Capitol Towers' distinctive site plan.²⁶

In Sacramento as in other American cities, the trend of mass suburbanization that took hold in the postwar period could not be reversed easily, despite the efforts of urban redevelopment to revitalize central cities. The lack of market demand for high-rise housing in downtown Sacramento prevented Scheuer from building the other two high-rise towers at Capitol Towers. Unaffiliated residential towers were constructed on the property's northwest and southwest corners separately in the late 1970s and early 1980s.

²⁰ Edward F. Menzger, "Mall Apartment Project Designs Are Presented," *The Sacramento Bee*, March 27, 1958.

²¹ *Ibid.*

²² *Ibid.* Some proposed features, such as the sundials and poppy motif, changed or were ultimately not incorporated.

²³ "Scheuer Plans Earlier Mall Towers Start," *The Sacramento Bee*, November 17, 1958.

²⁴ "Mall Redevelopers Act to Save Trees," *The Sacramento Bee*, November 17, 1958.

²⁵ "Tower Project in West End Gets Sculpture," *The Sacramento Bee*, April 30, 1961.

²⁶ "Capitol Towers Apartments Will Dedicate 15 Story Tower Thursday," *The Sacramento Bee*, January 10, 1965.

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Over the course of Capitol Towers' construction between 1959 and 1965, progress was being made in the overall Capitol Mall Redevelopment Project. The Federal Building, directly north of Capitol Towers, started construction in 1959 as well. Other private developers did not secure approvals for new developments until the early 1960s after the initial phase of Capitol Towers was completed. The Modern commercial buildings that resulted include the Crocker National Bank, Wells Fargo Bank, and IBM Building on Capitol Mall (or Capitol Avenue) completed between 1963 and 1964, as well as Macy's Department Store anchoring what became the K Street shopping mall.²⁷ Other redevelopment project areas also started, and downtown Sacramento continued to redevelop into the 1970s and 1980s.

The completion of Capitol Towers' first phase of 92 low-rise garden apartments in 1960 represented the first private investment in urban redevelopment housing in California and led reinvestment in Sacramento's downtown. Local governments and redevelopment agencies across the state initiated redevelopment in the 1950s with redevelopment plans, land acquisition, resident relocation, and building demolition that often destroyed whole neighborhoods and displaced long-term residents and ethnic communities in order to modernize city centers. Some publicly funded projects such as public housing, government buildings, and cultural institutions were part of the rebuilding. Private developers willing to invest in declining city centers, and willing to take on the complicated financing and regulations that came with federal funds, were responsible for the bulk of new construction under urban redevelopment.

The complicated legacy of urban redevelopment often is associated with the destruction of older, established neighborhoods. It also allowed for the construction of modern urban cores that transformed Sacramento and other California cities in the second half of the twentieth century. Starting with its construction in 1959 as the first privately developed project in Sacramento's urban redevelopment efforts through the 1965 completion of the high-rise tower, Capitol Towers provided the residential housing component in Sacramento's first redevelopment project area and meets Criterion A at the local level of significance.

Design of Capitol Towers

Capitol Towers is significant under Criterion C as a well-planned urban redevelopment project designed by a team of highly trained and nationally influential Modernist architects and landscape architects. The design of the property expresses the social and aesthetic philosophies of its collaborating designers, who continued to develop these ideas in subsequent urban projects. In particular, Capitol Towers embodies WBE's design and planning approach to large urban lots and is considered by Lawrence Halprin to be his first urban plaza.

A modernized, urban version of a garden apartment complex, Capitol Towers adapts aspects of the Garden City Movement and Le Corbusier's Ideal City to re-image a different way of urban living. As lead firm WBE described Capitol Towers,

²⁷ Sacramento Redevelopment Agency, *Urban Renewal, Sacramento*, (Sacramento: Sacramento Redevelopment Agency, 1964), 12-19 and Sacramento Housing and Redevelopment Agency, "Annual Report by Redevelopment Agencies as Required by State Law," April 9, 1980, 42.

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[T]he design was conceived as a pedestrian-oriented residential project. High-and low-rise units are clustered about a mall, providing an informal, yet orderly, interplay of vertical and horizontal building masses. A park-like atmosphere is created by the retention of magnificent old trees; enhanced by extensive lawns, plantings, and specially designed street furniture; and is preserved by restricting parking to islands surrounded by service areas.²⁸

In a highly collaborative process, WBE, DeMars & Reay, and Edward Larrabee Barnes contributed to the design of Capitol Towers with a host of consultants.²⁹ They included:

- Mayer, Whittlesey and Glass, architecture and planning
- Dreyfuss & Blackford, architecture
- Nathaniel S. Keith, housing
- Lawrence Halprin, landscape architecture
- DeLew, Cather & Company, engineering
- William B. Gilbert, engineering

Barnes took the lead on designing the low-rise buildings, while WBE became principal architect for the high-rise tower. Donn Emmons was the partner in charge at WBE, though all three partners were engaged in the early schematic designs. DeMars & Reay and Mayer, Whittlesey and Glass, with their experiences in mass housing, were involved in the early site layout and planning. Ideas and designs went back and forth among those who were local in the San Francisco Bay Area (WBE, DeMars & Reay, and Halprin primarily) and in New York (Barnes and Mayer, Whittlesey and Glass in the initial concepts).³⁰

Even after the initial concept was released in 1958 featuring staggered low-rise buildings with three high-rise towers on a superblock with parking at the periphery, the team continued to refine and discuss design elements, particularly in light of FHA requirements for room count, rent affordability, and loan terms. The largest change came from Dreyfuss & Blackford, who reoriented the high-rises from a north-south longitudinal axis to an east-west axis. Familiar with the local natural environment, the Sacramento-based associate architecture firm cautioned against expanses of glass on western exposures that would create uncomfortable conditions in Sacramento's hot summers. After discussions about northern exposures in winter months and the cost savings from reduced air conditioning loads, the design was changed to the final plan.

In addition to saving some of the street trees, Lawrence Halprin also retained some of the mature trees on the property to incorporate into the Capitol Towers landscape.³¹ For the central plaza, Halprin included a grove of trees that appear to be London plane trees or *Platanus x acerifolia*,

²⁸ Wurster, Bernardi, and Emmons, *Wurster, Bernardi, and Emmons, Inc., Architects* (San Francisco, CA: Wurster, Bernardi, and Emmons, Inc., 1967), 30.

²⁹ See Correspondence 1957-58, 1958-60 folders in "Sacramento Redevelopment: Capitol Towers," William W. Wurster/Wurster, Bernardi, & Emmons Collection, (1976-2), Environmental Design Archives, College of Environmental Design, University of California, Berkeley, Berkeley, California.

³⁰ Correspondence 1957-1958 folder, "Sacramento Redevelopment: Capitol Towers," WBE Collection.

³¹ Sacramento Redevelopment Correspondence (014.LA.6000) from Lawrence Halprin Collection, The Architectural Archives, University of Pennsylvania, Philadelphia, Pennsylvania.

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distinctive deciduous trees that provide a low canopy during the summer months and add vibrancy with color, texture, and shadow. This urban design element used in combination with a water fountain was used in Halprin's later highly acclaimed designs for University of California's Sprout Plaza in 1962 and Lovejoy Fountain Park in Portland, Oregon in 1966.³² Other locations in Sacramento feature variations of this Modern-era sensibility, including the Sacramento County Courthouse at Ninth and G Streets built in 1965.

To unify the Capitol Towers property and complement the landscape design, Halprin specifically designed a set of street furniture for the project, including a globe light standard, wood-slat benches with curved backs, kiosks, and trash cans. He worked with graphic designer Saul Bass and designer Alexander Girard on graphics and a color scheme, as well as with artist Jacques Overhoff on the sculptural wall in the central plaza.³³

Capitol Towers as Urban Development Housing

As initiated by Ebenezer Howard in England in the late nineteenth century and popularized in the United States by progressive housing reformers such as Clarence Stein, Henry Wright, and William Wurster's wife Catherine Bauer in the first half of the twentieth century, Garden City principles focused on removing the city grid and creating superblocks with low- and mid-rise housing clustered around shared, park-like open spaces. Pedestrian and automobile uses were separated with automobiles confined to the periphery and through streets minimized to allow for safe, pedestrian-only interior spaces. Seen mainly as an alternative to overcrowded urban living, examples of communities using Garden City principles often were located in satellite or suburban areas and inwardly oriented.³⁴

With Modern architect Le Corbusier's 1920s theory of the "Ideal City," where free-standing towers were set in blocks of open space, the superblock configuration was also used with separated pedestrian and automobile circulation. Standardized, modern, high-rise towers provided the necessary residential density in limited footprints so that much of the ground plane could be used for open space with sufficient light, air, and greenery often lacking in the crowded nineteenth century city.³⁵ Also distinct from the city street grid, this more cost-effective "towers in the park" model came to dominate postwar urban redevelopment housing with mixed success.

Capitol Towers' developer James Scheuer articulated his thoughts about urban redevelopment housing in a letter to *The New York Times* in July 1958. His letter encapsulates the mission statement of Capitol Towers, the plans of which had been released in March that year and was in the process of design refinement and FIAA approvals. In response to an article denouncing urban

³² United States Department of the Interior, National Park Service, National Register of Historic Places Registration Form, Halprin Open Space Sequence, March 6, 2013.

³³ Sacramento Redevelopment Correspondence (014.LA.6000), Lawrence Halprin Collection. Originally, Bass and Girard had larger roles in the project, and time demands and cost cutting measures reduced the scopes of their work. It is not clear how much of their work remains at the site.

³⁴ Page & Turnbull, "Parkmerced Historic Resource Evaluation & Cultural Landscape Assessment," November 13, 2009, 22-23.

³⁵ Page & Turnbull, 23-24.

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redevelopment projects in New York as “bleak towers” and “box-like buildings, no better than the slums they replaced,” Scheuer agreed that redevelopment projects have “for the most part the uniformity of barracks and are painfully devoid of imagination.”³⁶ Scheuer continued,

We have now been warned that unless urban renewal is radically improved it will die aborning through lack of public support. The public will simply refuse to make the necessary capital investment, not only in terms of money but in terms of the inconvenience and dislocation which are unavoidable costs of redevelopment.

There is no reason why redevelopment projects cannot be exciting and attractive. Why must all buildings in a project be identical? Tall structures can be combined with medium and low structures. Where land costs make them feasible, a small number of two or three story garden apartments can add informality and the human dimension to projects.

When we erect high-rise apartment houses, slab buildings can be combined with tower structures. And they can be staggered rather than lined up like soldiers on parade.

Swimming pools, reflecting pools, imaginative playground facilities, trees, shrubs, fountains, sun dials and sculpture can be used to make developments attractive places to live. Why not break away from the conventional red brick by varying the color and texture of the building materials? Why not employ a variety of window, façade, and entrance treatments?

We should get away from the enormous projects of the past, projects which are a thing apart from the neighborhood and not of it. Let us plan “vest-pocket” projects, combining public housing units, cooperative, limited-profit buildings and upper-income Title I housing. This would vary the tenants as well as the structures, making projects more interesting places in which to live.

Fortunately, the picture is not entirely black. In various United States cities some of America’s most talented architects are involved in urban renewal. Within a year a great deal of their work will be finished, showing what can be done if only we set about to do the job with style and imagination.³⁷

As constructed, Capitol Towers embodies Scheuer’s vision of “style and imagination” for urban redevelopment housing. While it is not the only project to incorporate low-rise apartment buildings and high-rise residential towers, the collaborative planning, rich and layered site design, and spatial relationships at Capitol Towers, working in concert with the urban setting, resulted in a “more interesting place[s] in which to live,” and a compelling early example of redevelopment housing in California.

³⁶ James H. Scheuer, “Letters to the Times: To Beautify Housing,” The New York Times, July 8, 1958.

³⁷ Scheuer, “Letters to the Times: To Beautify Housing.”

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The spatial relationships between the low-rise and the high-rise building create a comfortable density that avoids enormous stretches of vast emptiness seen in some “towers in the park” developments. The park-like setting is created through a variety of proportionally scaled spaces for private uses, shared lawns, quiet courtyards, communal gathering, and recreational use. Taken in concert with the Halprin-designed street furniture, hardscape pathways, and landscape features, the property comes together into a cohesive, interlaced whole.

For the residents, privacy and community are balanced. Clearly defined patios to the rear of residential units and balconies overlooking the internal walkways and city sidewalks offer private outdoor spaces. Community amenities, such as the swimming pool, central plaza, and ground-floor shops in the high-rise tower, provide gathering areas for residents, while the connected lawns in front of the garden apartment buildings offer areas shared among immediate neighbors. These designed spaces were intended to demonstrate the possibilities of rich and diverse communal interaction through a landscaped, pedestrian-oriented setting inserted into an urban core area. The project served as an early and highly regarded demonstration of both interactive public space connected with the city circulation, and a respite for the core residential community.

As a matter of its Modern design as well as the budget limits driven by FHA requirements, the buildings are simply and subtly detailed. The low-rise buildings are staggered to prevent straight, monotonous blocks of units. Breezeways between modules create permeable spaces for natural breezes, views, and pedestrian circulation. Simple design details, such as the uniformly deep eaves and the wood-slat sunshades over the patio doors create architectural accents and visual consistency, and they also provide functional sun protection and dynamic shading throughout the property. Such details, along with the unusual casement windows with lower panes that form almost full-height glazing and private outdoor areas for each unit, add to the visual interest and livability of the units.

The high-rise tower, one of the earliest by WBE, is similarly modest in detail and avoids flatness and monotony. Though the windows, sliding glass doors, and concrete balconies are consistent on the two long sides (north and south façades), they have different bay patterns for visual interest. The projecting penthouse balcony gives the building a top, almost in the traditional base-shaft-top organization seen in Classical and New Formalist buildings. The base of the high-rise is partially open and recessed to create a sense of lightness and reception. The resulting colonnade offers a shaded walkway to access the shops and restaurants.

As much as Capitol Towers is a self-contained, pedestrian-oriented property, it remains open, permeable, and complementary to the larger urban context. At the northeast and southeast corners, the low-rises present a street-facing presence to engage the property with the surrounding streets, which is unlike earlier larger-scaled garden apartment complexes that emphasized an internal orientation as an escape from the city. Similarly, the main north-south and east-west pedestrian axes at Capitol Towers generally continue the urban sidewalk grid, rather than create a new circulation pattern. The low-rise buildings and their balconies internally

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face the main pedestrian walks as on a city street, and the open and welcoming pedestrian entrances at the west, north, and south allow residents and non-residents alike to walk through the development and reconnect with the street grid.

The parking areas, a necessity by the late 1950s, also reinforce the urbanity of the property. While they are placed at the edges so that Capitol Towers can have open, car-free internal spaces, the surface parking areas are tucked into interior courts and accessed from the streets by narrow driveway curb cuts. They are surrounded by low-rise apartment buildings to allow residents convenient access to cars while limiting barrier elements at interfaces with the city to the parking garage and surface lot on Seventh Street.³⁸

Recognition for Capitol Towers

Before construction started, as the design was undergoing refinements by the project team, the essential concepts of Capitol Towers received national recognition. Most significantly, the project received the First Design Award from *Progressive Architecture's* Annual Design Awards Program in early 1959.³⁹ The First Design Award was the highest honor recognizing a single project from a pool of over six hundred submissions. The Capitol Towers project also rose above almost thirty projects that received Award Citations and Design Awards. The jury, which consisted of architects Hugh Stubbins (chair), Ladislav Rado, Philip Will, Minoru Yamasaki, and engineer Milo S. Ketchum, were "looking for a clear architectural expression; something that contributes to development of this expression."⁴⁰ In selecting Capitol Towers, the jury recognized that the proposed design was different from what was being built under urban redevelopment elsewhere.

At a time when Urban Redevelopment is much in the public consciousness, and both proposals and finished projects are daily news items, it is hoped that this First Design Award will arrest the attention of architects, planners, developers, civic officials, and all others concerned with rebuilding our cities. This project, prepared with unusual care, should stimulate reflection, stock-taking, and thorough study... Unlike most current projects in which use, coverage, and density are rigidly prescribed for the planners, the program, in this case, was jointly developed by the Redevelopment Agency, the private developers, their architects and consultants. Thus, an earlier proposal of an all-high-rise project has been replaced by a design which encompasses both high- and low-rise units and places particular emphasis on intensive ground-use, on the separation of pedestrian and vehicular ways, and the shaping of exterior spaces.⁴¹

³⁸ The property's surface parking lots on Fifth Street are adjacent to parking facilities for Bridgeway Tower and Pioneer II, which are on separate parcels and were developed after Capitol Towers.

³⁹ "P/A Sixth Annual Design Awards," *Progressive Architecture*, January 1959, 105-111.

⁴⁰ *Ibid.*, 105.

⁴¹ "P/A Sixth Annual Design Awards," 107-109. The initial Sacramento redevelopment plan by Richard Neutra and Robert Alexander had received a Special Design Award from *Progressive Architecture* in 1955.

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The award description particularly called out the parking in cul-de-sacs that leaves the interior of the property free of vehicular traffic, the privacy afforded tenants with the balconies and patios oriented in opposite directions, the staggering of the apartments “[t]o further the visual interest even more, and to increase the amount of privacy,” and the use of breezeways at the points where apartments are offset. According to the jury, “In this way, the architects have been able to maintain the urban character of the closed square while ventilating the courts.”⁴²

[T]he Jury was particularly pleased with the informal, yet orderly interplay of the vertical and horizontal building masses; the excellent use of the grounds; the ingenious design of the low-rise units, which are both economical and livable; and the solution of the parking element. Unanimously, the Jurors considered this project an important piece of work and a highly sensitive design - one which stood above all the others for qualities that went well beyond mere function.⁴³

With the exception of the two high-rise towers and more vibrant use of color, most of what the *Progressive Architecture* award recognized was realized in the built work, even as the towers were re-oriented to better address Sacramento’s summer heat.

Upon completion of the low-rise apartment buildings, Capitol Towers received a Merit Award from the Northern California chapter of the American Institute of Architects’ Honor Awards Program in 1963. The award citation noted, “Maximum advantage was taken of the park-like atmosphere of the property by creating a central core exclusively for pedestrians in this apartment complex.”⁴⁴ The jury commented,

A most handsome solution to an extremely difficult and important architectural problem. Many times mass housing in this income bracket becomes a hard-boiled, inhuman concept. The fine separation of the occupancy from the automobile is most commendable, and all the jury agreed that from the pedestrian viewpoint—the gardens, the plaza furniture, and the recreational spaces were most successful. A comfortable and simple transition from the private residential living to public housing.⁴⁵

Capitol Towers also won a First Honor Award from the Urban Renewal Administration as part of the Housing and Home Finance Agency (HHFA) Awards Program in 1964 and a Certificate of Excellence from the Governor’s Design Awards Program in 1966.⁴⁶ The Advisory Committee for the Urban Renewal Administration award “remarked on the subtle yet rich landscape design as greatly enhancing the site and the simple, direct structures. Good site planning thus resulted in

⁴² “P/A Sixth Annual Design Awards,” 110-11.

⁴³ *Ibid.*, 111.

⁴⁴ “San Francisco Bay Region A.I.A. Awards,” *Arts & Architecture*, May 1963, 28.

⁴⁵ *Ibid.* It does not appear that the reference to “public housing” was intended to mean publicly owned housing.

⁴⁶ Wurster, Bernardi, and Emmons, 30.

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well-scaled open spaces. There seemed to be an effective program of design of street furniture, lighting fixtures, benches, etc."⁴⁷

Capitol Towers was among Wurster, Bernardi, and Emmons' most recognized projects, as it was for the other designers on the team.

Architects and Designers

Capitol Towers was a collaboration among a talented, nationally renowned team of master designers. It was an early opportunity to develop their ideas and approaches to reimagining an urban lot just as American city centers were being reconsidered and reconceived. Capitol Towers was an important transitional project particularly for WBE and Lawrence Halprin to test their social, aesthetic, and planning philosophies on a larger, urban property.

Wurster, Bernardi, and Emmons

Principal William Wurster (1895-1973) first established his own firm in 1924 in Berkeley and focused primarily on residential projects in the popular period revival styles of the era. Through key projects and clients like the Gregory Farmhouse for Warren and Sadie Gregory in Scotts Valley, CA (north of Santa Cruz, 1928), Wurster experimented with vernacular styles that were unassuming yet closely linked to the surrounding natural environment. Such understated approaches, in contrast to the more formal, grand designs expected of the wealthy, "fully embodied the values of a monied California society intent on living unostentatiously and close to the land."⁴⁸

Additional residential commissions for friends of clients like the Gregorys in San Francisco and others throughout the rural and suburban Bay Area furthered Wurster's reputation and ideas supporting California living, with its emphasis on casualness and outdoor living. His interest in landscape led to a prolific collaboration with landscape architect Thomas Church (1902-1978), a pioneer of modern California landscape design.

By the mid-1930s, Wurster's practice was firmly established as the International Style and European Modernism started to appear in the Bay Area. With younger architects like Theodore Bernardi (1903-1990) bringing more progressive ideas about modernism to the firm, and Wurster's own travels to Europe in the 1930s, projects in the 1940s started to reflect modernist features of crisp lines, rectilinear volumes, expanses of glazing, and lower pitched roofs. The projects remained responsive to individual properties and did not abandon the needs of clients in favor of architectural doctrine.

The firm produced numerous residential projects in the late 1930s to 1950s as it became first Wurster and Bernardi in 1944 and finally Wurster, Bernardi, and Emmons (WBE) with Donn

⁴⁷ "Redevelopment Design Award -Residential: Capitol Towers Garden Apartments," *URA 1964 Honor Awards Program in Urban Renewal Design*, Urban Renewal Administration, Housing and Home Finance Agency.

⁴⁸ Marc Treib, "William Wilson Wurster: The Feeling of Function," in Marc Treib, ed., *An Everyday Modernism: The Houses of William Wurster*, (San Francisco: San Francisco Museum of Modern Art and University of California Press, 1995), 19.

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Emmons (1910-1997) becoming a partner in 1945. It was the projects of this period, along with those of fellow Bay Area architects Gardner Dailey and John Ekin Dinwiddie, that came to define the regional variant on Modernism known as Bay Region Modernism.

Wurster's interests expanded into urban planning and mass housing in the 1940s, first with his marriage to noted urban planning and progressive housing expert Catherine Bauer in 1941 and his involvement with World War II defense housing projects also in 1941. In 1943, Wurster and Bauer moved to the East Coast for Wurster to study urban planning at Harvard. He remained on the East Coast once he was appointed dean of the architecture school at MIT in 1944. Bernardi and Emmons took on the bulk of the firm's design work back in San Francisco, even upon Wurster's return to the Bay Area in 1950 to serve as the dean for the architecture school at University of California (UC) Berkeley. Deeply influenced by Wurster's "pragmatic regionally based design philosophy," Bernardi and Emmons continued Wurster's example of allowing the clients to lead the design process rather than impose the firm's design ideals as the firm grew in the 1950s.

WBE continued to design single-family residential projects into the 1960s. Those diminished as larger educational, commercial, and redevelopment commissions came into the firm. These ranged from the award-winning Center for Advanced Study in Behavioral Sciences (1954) at Stanford University to the prototype, and subsequent models, of the brand-defining, Marina-style Safeway grocery stores (1954-63) that proliferated across California. Starting in the late 1950s, the firm became involved with major urban renewal master planned and mixed used projects in Northern California like Capitol Towers (1958-65) in Sacramento and Golden Gateway Redevelopment (1960-67) in San Francisco. The firm's other notable projects in San Francisco include the adaptive reuse and remodeling of Ghirardelli Square (1963-65) and the Bank of America headquarters (1965-77) with Skidmore, Owings & Merrill.

Capitol Towers was among the projects that helped WBE transition from single-family residential and commercial commissions like the Safeway stores, to larger-scaled projects. The firm had worked on a number of university campus planning projects, as well as individual college buildings in the 1950s. Capitol Towers was an opportunity to engage with an urban site and implement the social and urban planning philosophies that interested Wurster and the other partners. As with their regional variant on Modernism, WBE did not follow the common trend for urban redevelopment housing design. Instead of International Style towers in a superblock of open space, WBE incorporated key elements of their regional modernism at Capitol Towers through the spatial arrangement, scale, and volumetric forms of buildings to create visual interest and define spaces, integrated landscape design as a key component, and incorporated natural materials such as wood as design accents while adhering to the demands of FHA regulations. WBE led the Capitol Towers design team in creating a more imaginative alternative that embodied Garden City principles balanced with urbanity, mixed private and communal spaces, integrated modern landscapes, and the human experience. WBE continued to develop these concepts in subsequent urban projects like the Golden Gateway Redevelopment Project and

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Ghirardelli Square. Capitol Towers was one of 12 projects that WBE profiled in their 1967 company brochure highlighting the firm's significant larger projects.⁴⁹

Lawrence Halprin

Lawrence Halprin (1916-2009) was one of the most prolific American landscape architects of the postwar years. His approach, methodology, and compositions have left a resonating impact upon numerous urban spaces not only throughout the United States, and across the world. He was born in Brooklyn, New York in 1916 and attended Cornell University and the University of Wisconsin, Madison as a horticulture student. From 1942 to 1944, he attended the Harvard University Graduate School of Design, where he studied under prominent designers Marcel Breuer and Walter Gropius, who were famous for spreading the influence of the Bauhaus school and early international modernism. At Harvard he met and befriended William Wurster who was on sabbatical at Harvard studying urban planning.⁵⁰

Following his completion of the program and active duty during World War II, Halprin arrived in San Francisco, where his contact with Wurster landed him employment with Thomas Church, a prominent and innovative Modern landscape architect. Halprin worked with Church on several projects, including the acclaimed Donnell Garden in Sonoma, California, which became an early Modern masterpiece that embodied the casual, indoor-outdoor California lifestyle. In 1949, Halprin established his own practice focused primarily on residential gardens, of which he designed over 300 between 1949 and 1961. By the mid-1950s, Halprin's practice expanded from residential projects to include commercial work such as shopping centers, where his sequences of space for pedestrian movement as well as uses of concrete, fountains, and custom furnishings were echoed in later civic and urban projects.⁵¹

The years between 1956 and 1961 marked a period of "enormous personal, intellectual, artistic, and professional growth," for Halprin that prefaced the signature projects for which he became known.⁵² In addition to the shopping centers, Halprin also started to design larger-scale projects such as university campus plans like for UC Berkeley, that were more intricate and needed additional designs for street furniture, signage, lighting, paving, and parking. This led to greater interest in urban spaces and plazas that he explored in his 1963 book *Cities*.

Two additional key themes emerged in Halprin's work starting in the 1960s: the natural environment and movement through spaces. Shaped by the hiking trips in the Sierra Nevada Mountains Halprin undertook in the late 1950s, nature became a common source of inspiration for many of his designs, albeit abstracted and expressed through modern and austere materials like concrete. Also solidifying in these years was the notion of movement, an appreciation gained from his wife, Anna, who was a professional modern dancer. Halprin developed movement plans or "scores" that were part methodical analysis and part choreographic compositions of how

⁴⁹ Wurster, Bernardi, and Emmons, 30-31.

⁵⁰ Lawrence Halprin, *A Life Spent Changing Places*, (Philadelphia: University of Pennsylvania Press, 2011), 47-8.

⁵¹ Laurie Olin, "Introduction," in Lawrence Halprin, *A Life Spent Changing Places*, (Philadelphia: University of Pennsylvania Press, 2011), ix-x.

⁵² *Ibid.*, xi-x.

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people interact with a series of spaces and the typological elements therein. Halprin considered issues such as pedestrian circulation, rest areas, contrasts of noise volume, perspective views, access to daylight, and user experience. These scores became fundamental to the RSVP Cycle, a design and community participation process that he developed throughout the 1960s focused on the people who would use the spaces.⁵³

Experimenting with these ideas, Halprin's most prominent works started to come to fruition in the 1960s. In addition to the groundbreaking seaside housing community of Sea Ranch (1962-67) in Sonoma County, CA, Halprin's best known works include several urban projects like the Ghirardelli Square development (1963-65) with WBE in San Francisco, CA; Nicollet Avenue Mall (1967) in Minneapolis, MN; and several public parks and civic spaces for local redevelopment agencies including the Portland Open Space Sequence (1965-78) in Portland, OR (listed in the National Register in 2013); Skyline Park (1975, demolished 2003) in Denver, CO; and Seattle Freeway Park (1976), Seattle, WA. These projects, and dozens of other urban projects, re-imaged a public realm for the American cities in the aftermath of urban renewal and at times included bold, striking forms and sequences that referenced ecological features like rock croppings or waterfalls.⁵⁴ Toward the end of his career, Halprin designed and completed the Franklin Delano Roosevelt Memorial (1997) in Washington, D.C.

Halprin's long career is defined by his commitment to the human scale, user experience, and social impact of design.⁵⁵ Capitol Towers is from the late 1950s transitional period when larger-scaled projects came to his firm. It combined his experience with residential projects, a growing interest in urban spaces, and the ideas of movement. As he recalled about 1957,

We were also doing some early urban housing in Sacramento with architects Edward Larrabee Barnes and Bill Wurster. I was now working closely with some world-class architects and I was getting a great deal of experience. I designed my first urban plaza at the center of the Sacramento project, and brought in the sculptor Jacques Overhoff to work on an enclosing cast concrete wall. I was developing street details for these larger commissions and I was learning about graphics from the great graphic designer Saul Bass, who was collaborating on some of these projects.⁵⁶

Halprin extensively featured the benches, light standards, and other street furniture he designed for Capitol Towers in *Cities* and included a notional system evaluating "the walking experience," through Capitol Towers as an example of considering the pedestrian's "kinesthetic experience."⁵⁷

⁵³ RSVP stands for "Resources, Scores, Valuation and Performance," which is a holistic interpretation of a space that includes existing resources and conditions, potential interactions with these conditions, the revision and interpretation of interactions with the space, and the actions over time within the space.

⁵⁴ Elizabeth K. Meyer, "Biography of Lawrence Halprin," The Cultural Landscape Foundation, April 1, 2008, accessed August 8, 2014 <http://tell.org/pioneer/lawrence-halprin/biography-lawrence-halprin>.

⁵⁵ "Lawrence Halprin," The Cultural Landscape Foundation, accessed August 8, 2014, <http://tell.org/pioneer/lawrence-halprin>.

⁵⁶ Halprin, *A Life Spent Changing Places*, 108.

⁵⁷ Lawrence Halprin, *Cities*, Revised edition, (Cambridge, MA: MIT Press, 1972), 212-3.

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The Capitol Towers analysis demonstrates that Halprin was already considering the experience of movement as part of his design process later codified into the RSVP Cycle.

Halprin was known for his work in public urban plazas, often as part of larger urban redevelopment projects that came following Capitol Towers. As was stated in the 2013 National Register nomination for Halprin's Open Space Sequence in Portland, OR,

Halprin's particular contribution was to reinvent the public plaza as a symbolic yet interactive place... The timing of this reinvention was critical; Halprin's projects were often a core element of revitalizing what were then considered dying city cores. Put another way by landscape architect Laurie Olin, "Larry was working at a time when no one believed in public spaces... No one did it with such bravura and sense of generosity."⁵⁸

Capitol Towers was an early large-scale and urban project for Halprin, and reflects aspects of his initial thoughts and approaches to designing spaces for cities.

Edward Larrabee Barnes

Edward Larrabee Barnes (1915-2004) studied architecture at Harvard University's Graduate School of Design in the 1940s and worked in the office of early Modern Movement masters Walter Gropius and Marcel Breuer after graduation. After a stint as a naval architect in San Francisco during World War II, Barnes landed positions in prominent California firms, working first for William Wurster and later for Henry Dreyfuss, who was working on developing mass-production housing types.⁵⁹ While with Dreyfuss, Barnes experimented with modern architectural forms, theories, and manufacturing techniques to address the burgeoning demand for housing that developed in the postwar years. These experiences would benefit Barnes while he worked on two large housing redevelopment projects: Capitol Towers in Sacramento, and El Monte in San Juan, Puerto Rico, both for developer James Scheuer.

Barnes established his own practice in New York in 1948, starting with residential projects and growing to larger commercial and institutional commissions in the 1960s through the 1980s. Architectural critics have argued that Barnes' personal style was the absence of one. His various projects—private residences, academic buildings, campus plans, commercial towers, churches, museums, and housing developments—responded to modernist ideals and a participatory democratic environment, lacking monumental reference to the architect, or those who commissioned the building.⁶⁰ His approach addressed a site comprehensively—context, landscape, client needs, regulations, budget, aesthetics, projective image, structural systems, climate, etc.—and reflected his modernist ideals and education. Some of his most celebrated works include the Haystack Mountain School of Arts (1962), Deer Isle, ME; IBM, 590 Madison

⁵⁸ John M. Tess, Heritage Consulting Group, "Halprin Open Space Sequence," National Register of Historic Places Registration Form, prepared November 17, 2012, listed March 6, 2013.

⁵⁹ Summarized from Edward L. Barnes, *Edward Larrabee Barnes: Architect* (New York: Rizzoli International Publications Inc., 1994), 10-21.

⁶⁰ Douglas Martin, "Edward Larrabee Barnes, Modern Architect, Dies at 89," *New York Times* (September 23, 2004)

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Ave (1983), New York, NY; Dallas Museum of Art (1984), Dallas, TX; and Armand Hammer Museum of Art and Cultural Center (1990), Los Angeles, CA.

Though simpler and less formal than his later works, Capitol Towers was an early large project for Barnes and an opportunity to work with Wurster and WHI again. Similar to the other designers on the team, Barnes was not preoccupied with monumental architecture or designs adhering to architectural styles. He embraced the complex factors and social issues that could be addressed through modern architecture. While he is credited with the low-rise buildings' staggered plan and opposite orientation of patios and balconies, he was also part of the collaborative effort that saw suggestions and ideas go back and forth among the design team.

DeMars & Reay

Born in San Francisco, Vernon DeMars (1908-2005) received his Bachelor of Architecture from UC Berkeley in 1931 amidst the socio-economic turmoil of the Great Depression. With limited opportunities, DeMars acquired a job with the National Park Service, which eventually led to the position of Chief Architect of the Western Division of the Farm Security Administration (FSA), a government organization that was established through the Roosevelt administration's New Deal policies. DeMars oversaw the planning, designing, and building of forty communities from 1937 to 1943 for the FSA, which focused on providing for the populations of migrant agricultural workers. These communities were meant to be quick to assemble and cheap to build, and socially adequate and culturally responsive to the drastic stresses and difficulties that were experienced by these displaced and transient populations.⁶¹ Following this experience, DeMars began working for the National Housing Agency (NHA) in Washington DC as Chief of Housing Standards, where he was involved in researching potential postwar housing options.⁶²

In the immediate postwar years, DeMars was invited to teach at the Massachusetts Institute of Technology (MIT) by William Wurster, a fellow San Francisco architect who was then the dean of the School of Architecture. DeMars continued to be involved with multi-family housing development and design while at MIT, assisting in the design of the acclaimed Eastgate Apartments located at MIT.⁶³ In 1950, DeMars and his wife, Betty Bates, moved back to the Bay Area, where he began teaching at UC Berkeley and continued to do so until his retirement in 1975. Upon reestablishing himself in the Bay Area, DeMars became very involved in numerous housing projects, most notably the Easter Hill Village public housing development in Richmond, California that he developed in 1954 with landscape architect Lawrence Halprin. DeMars and architect Donald P. Reay established their own firm DeMars & Reay in 1955. The firm specialized in housing and community development, and addressed countless planning and

⁶¹ Paul Heyer, *Architects on Architecture*, (New York: Walker and Co., 1966), 96.

⁶² Laura Ward et al, "Inventory of the Vernon DeMars Collection: 1933-2005," in Environmental Design Archives- College of Environmental Design (Berkeley: University of California, Berkeley, 2008), 3, accessed June 26, 2014, <http://pdf.oac.edlib.org/pdf/berkeley/ceda/demars.pdf>.

⁶³ Richard Peters and Henry Lagorio, "In Memorium: Vernon Armand DeMars - Professor of Architecture, Emeritus," University of California Academic Senate, accessed June 26, 2014, <http://senate.universityofcalifornia.edu/inmemoriam/vernonarmanddemars.htm>.

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design issues in the hopes of creating viable and socially responsible communities through comprehensive planning and the exploration of different building types and forms.”⁶⁴

DeMars stressed the importance of diversity as a fundamental component to successful communities. Diversity in building types provided a number of different practical and functional purposes, and provided aesthetic variation within a development. DeMars recognized the monotony and the utilitarian aesthetic inherent within the housing projects of the day and sought to avoid this in his projects. The mixture of building types, density, scale, building arrangements, and spatial organization, while possessing enough architectural aesthetic continuity, became trademarks of DeMars projects. This combination of diverse environmental design and comprehensive design were integral to his theory of “planned chaos.”⁶⁵

In addition to DeMars’ mass housing experience, the firm also constructed a number of buildings at UC Berkeley, including the Student Center, Zellerbach Hall, and Wurster Hall in the 1960s; and designed the Golden Gateway Redevelopment Project with WBE in the early 1960s. At Capitol Towers, DeMars and Reay were involved with the initial site planning in 1958 and likely contributed their experience with mass housing, community planning and federal agencies to the design team.

WBE, DeMars & Reay, and Halprin were part of the architectural community in San Francisco and had personal as well as working relationships primarily through William Wurster. Edward Larrabee Barnes also had a connection to Wurster and WBE, as he worked in the WBE office after World War II. All of the principal designers involved shared a philosophy that architecture was not about style or orthodoxy, but designing for the human experience. That philosophy is seen in the design and planning of Capitol Towers, and further explored in subsequent urban projects in collaborations by these firms.

WBE and DeMars & Reay went on to design the Golden Gateway Redevelopment Project in San Francisco, constructed in the early to mid-1960s, that also includes low-rise and high-rise residential buildings along with commercial office and retail spaces and an elevated landscape plaza. Lawrence Halprin designed the landscape at St. Francis Square, a 1963 cooperative housing development in San Francisco’s Western Addition redevelopment area. WBE and Halprin also collaborated on Ghirardelli Square in San Francisco in the 1960s. With this project, counter to the wholesale demolition that defined urban redevelopment and urban renewal, WBE and Halprin adaptively reused existing buildings and added modern interventions.

Conclusion

Built by a team of talented, ground-breaking modern designers and an experienced developer, Capitol Towers is locally significant as a successful example of urban redevelopment housing from the mid-twentieth century. It meets Criterion A as the first privately sponsored urban redevelopment project to start construction within Sacramento and as the initial residential component of the Capitol Mall Redevelopment Project. Capitol Towers served as an early

⁶⁴ Ward, “Inventory of the Vernon DeMars Collection: 1933-2005.”

⁶⁵ Peters and Lagorio, “In Memoriam.”

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precedent for future redevelopment projects in the state, particularly with housing that defied national trends for the type and instead incorporated low-rise garden apartments, a high-rise tower, and an integrated landscape design.

Capitol Towers also meets Criterion C as an admirable example of urban redevelopment housing that uses socially responsive site planning, architectural design, landscape design, and urban planning principles to create a livable community despite the constraints tied to federal loan guarantees. As an early urban redevelopment project for its master designers, Capitol Towers was an important project for them individually and collectively to test their social and aesthetic philosophies for urban communities. While a collaborative project, Capitol Towers embodies the highly acclaimed design and planning approach of WBE, as well as preliminary explorations by Lawrence Halprin with urban plazas. The development demonstrates the rich possibilities of balancing public and private spaces, low-rise and high-rise, structures and landscape, in an urban, pedestrian-oriented setting.

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Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
 previously listed in the National Register
 previously determined eligible by the National Register
 designated a National Historic Landmark
 recorded by Historic American Buildings Survey # _____
 recorded by Historic American Engineering Record # _____
 recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- State Historic Preservation Office
 Other State agency

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- Federal agency
 Local government
 University
 Other

Name of repository: Center for Sacramento History; Sacramento Public Library; William W. Wurster/Wurster, Bernardi & Emmons Collection, College of Environmental Design, University of California, Berkeley; Lawrence Halprin Collection, The Architectural Archives, University of Pennsylvania;

Historic Resources Survey Number (if assigned): _____

10. Geographical Data

Acreage of Property approx. 10.2 acres _____

Latitude/Longitude Coordinates

Datum if other than WGS84: _____
(enter coordinates to 6 decimal places)

- | | |
|------------------------|------------------------|
| 1. Latitude: 38.576887 | Longitude: -121.499524 |
| 2. Latitude: 38.574826 | Longitude: -121.500413 |
| 3. Latitude: 38.575150 | Longitude: -121.501630 |
| 4. Latitude: 38.576086 | Longitude: -121.502649 |
| 5. Latitude: 38.576984 | Longitude: -121.502259 |
| 6. Latitude: 38.577264 | Longitude: -121.500853 |

Verbal Boundary Description (Describe the boundaries of the property.)

The property boundaries correspond to three legal parcels with Sacramento County Assessor Parcel Numbers: 006-0300-002, 006-0300-003, and 006-0300-004.

Boundary Justification (Explain why the boundaries were selected.)

The boundary for Capitol Towers was selected based on the three legal parcels that currently comprise the property. These parcels correspond to the original construction of Capitol Towers from 1959 to 1965 and exclude the two parcels on the superblock that were developed separately and at later dates.

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11. Form Prepared By

name/title: Flora Chou, Cultural Resources Planner
organization: Page & Turnbull
street & number: 417 South Hill Street, Suite 211
city or town: Los Angeles state: CA zip code: 90013
e-mail: chou@page-turnbull.com
telephone: 213-221-1202
date: July 2014, revised August 2014

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property: Capitol Towers
City or Vicinity: Sacramento
County: Sacramento
State: CA
Photographer: Page & Turnbull
Date Photographed: April 9, 2014, except 1 and 3 on June 4, 2014; 2 on August 13, 2014.
Description of Photograph(s) and number, including view indicating direction of camera:

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- 1 Main pedestrian entrance to Capitol Towers from Fifth Street at the property's western border, camera facing southeast.
- 2 Pedestrian walkway entrance from N Street at the property's northern border flanked by Capitol Towers' street-fronting low-rise garden apartments and the adjacent property's Bridgeway Tower, camera facing southeast.
- 3 Capitol Towers at the corner of N Street and Seventh Street with the low-rise apartment buildings along the streets and the high-rise tower in the background, camera facing southwest.
- 4 Low-rise garden apartments, landscaping, and mature trees along Capitol Towers' eastern border at Seventh Street, camera facing south.
- 5 Typical low-rise garden apartment building lining interior walkways with staggered unit modules, continuous roof and deep eaves, camera facing northeast.
- 6 Front of typical low-rise garden apartment building with balconies overlooking interior open spaces, a breezeway between staggered unit modules and a three-story module at the end, camera facing east.
- 7 Typical breezeway between unit modules in low-rise garden apartment buildings, camera facing east.
- 8 Rear of typical low-rise garden apartment buildings with enclosed private patios, camera facing southwest.
- 9 South façade of high-rise tower with low-rise garden apartments in the foreground, camera facing northwest.
- 10 Detail of high-rise tower's south façade with concrete balconies and aluminum-framed window units, camera facing north.
- 11 East façade of high-rise tower from midblock on Seventh Street, camera facing west.
- 12 Recessed ground-floor storefronts and concrete pier colonnade of high-rise tower, camera facing west.
- 13 Typical laundry building, camera facing east.
- 14 Four-level parking garage with south façade of high-rise tower in the background, camera facing northwest.

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- 15 From main pedestrian entrance, east-west pedestrian axis with the straight and curved walkways flanked by low-rise garden apartments, camera facing east to the central plaza's sculptural wall.
- 16 North-south pedestrian axis flanked by the high-rise tower and low-rise garden apartments, camera facing south to central plaza.
- 17 Central plaza along north-south main axis, camera facing north.
- 18 Typical secondary courtyard surrounded by low-rise garden apartments, camera facing south.
- 19 Typical surface parking and service court enclosed by low-rise garden apartments, camera facing south.
- 20 South façade of high-rise tower juxtaposed with central plaza and low-rise garden units in the foreground, camera facing northeast.
- 21 North and west façades of high-rise tower in relation to a typical three-story module in a low-rise garden apartment building, camera facing southeast.
- 22 Central plaza, with sculptural wall, grid of London poplar trees, and circular fountain, camera facing northeast.
- 23 Central plaza adjacent to low-rise garden apartments with Sacramento high-rise commercial buildings in the background, camera facing northwest.
- 24 Communal swimming pool and rear of sculptural wall with central plaza and east-west pedestrian axis in the background, camera facing west.
- 25 Typical landscape court with grid of trees between low-rise garden apartments and parking lot, camera facing southwest.
- 26 Sunken landscape court at northern end of property, camera facing west.
- 27 Typical Lawrence Halprin-designed wood-slat bench and trash receptacle.
- 28 South façade of non-contributing pool house, camera facing north.

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 460 et seq.).

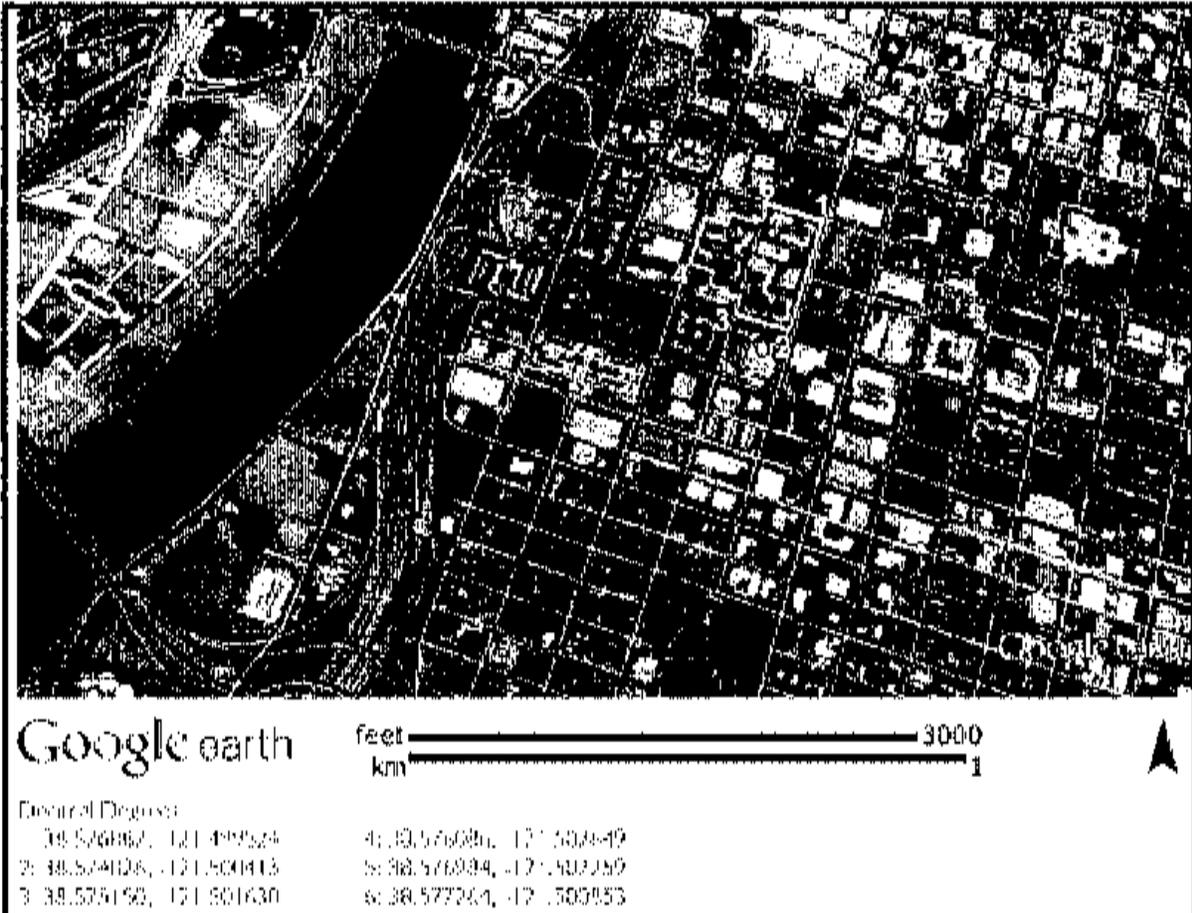
Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

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Additional Documentation: Maps

Figure 1. Location Map. Source: Google Earth, 2014, modified by Page & Turnbull, 2014.

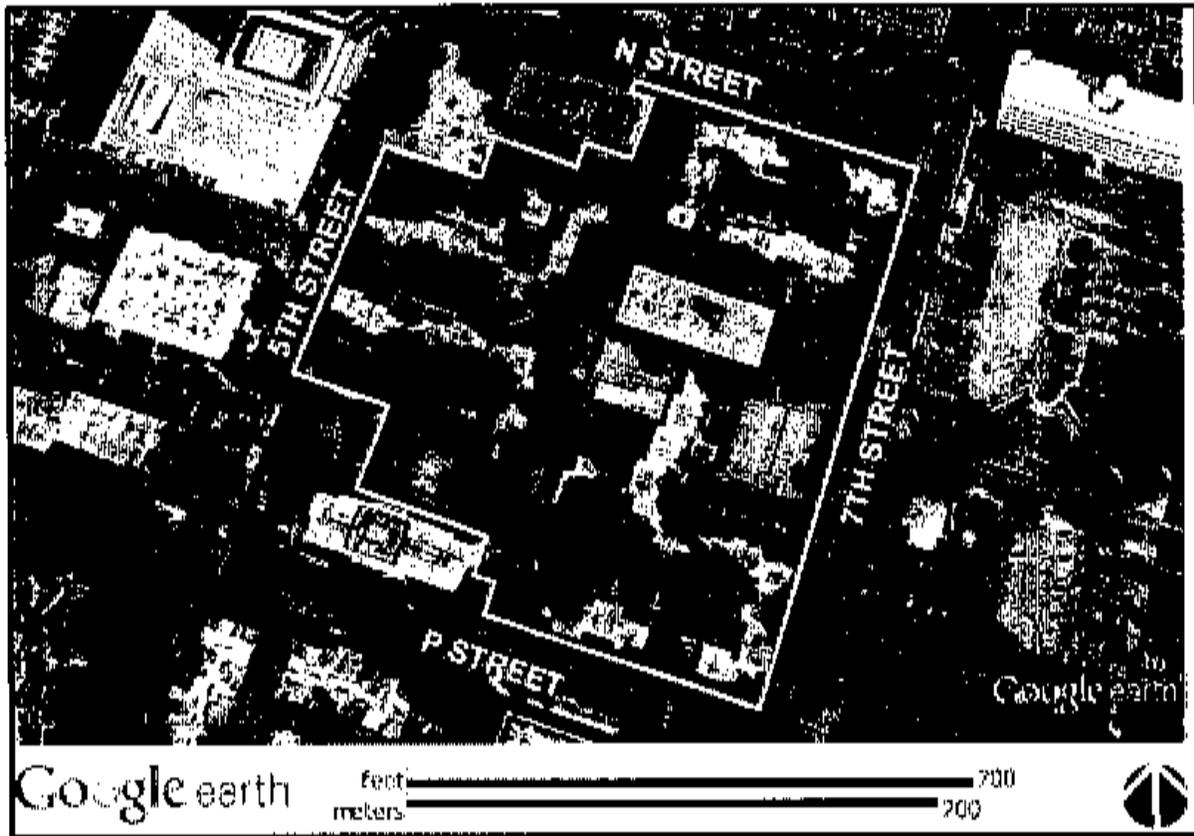


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Additional Documentation

Figure 2. Property and District Boundary Map. Source: Google Earth, 2014, modified by Page & Turnbull, 2014.

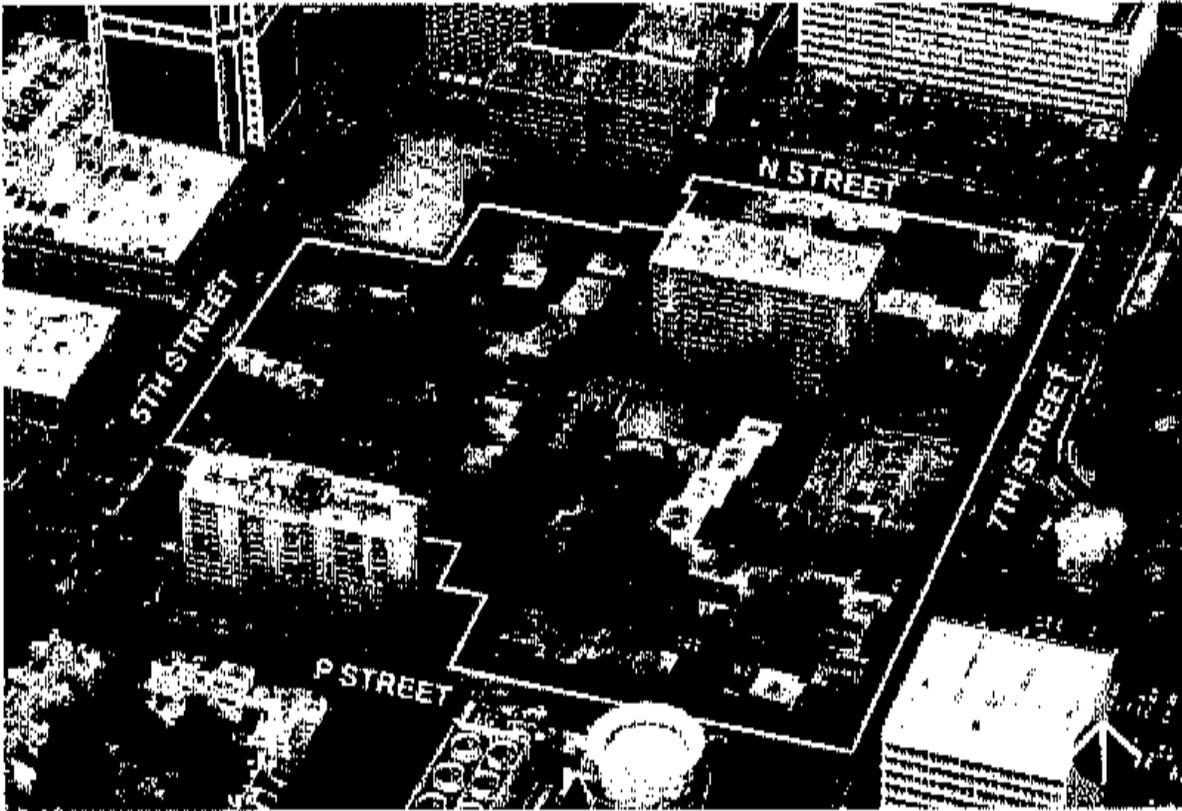


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Additional Documentation:

Figure 3. Aerial view of Capitol Towers with property boundaries. The stepped property boundary obscured by the Pioneer II apartment tower at the corner of P and 5th Streets is dashed. Bing Maps, 2014, modified by Page & Turnbull, 2014.

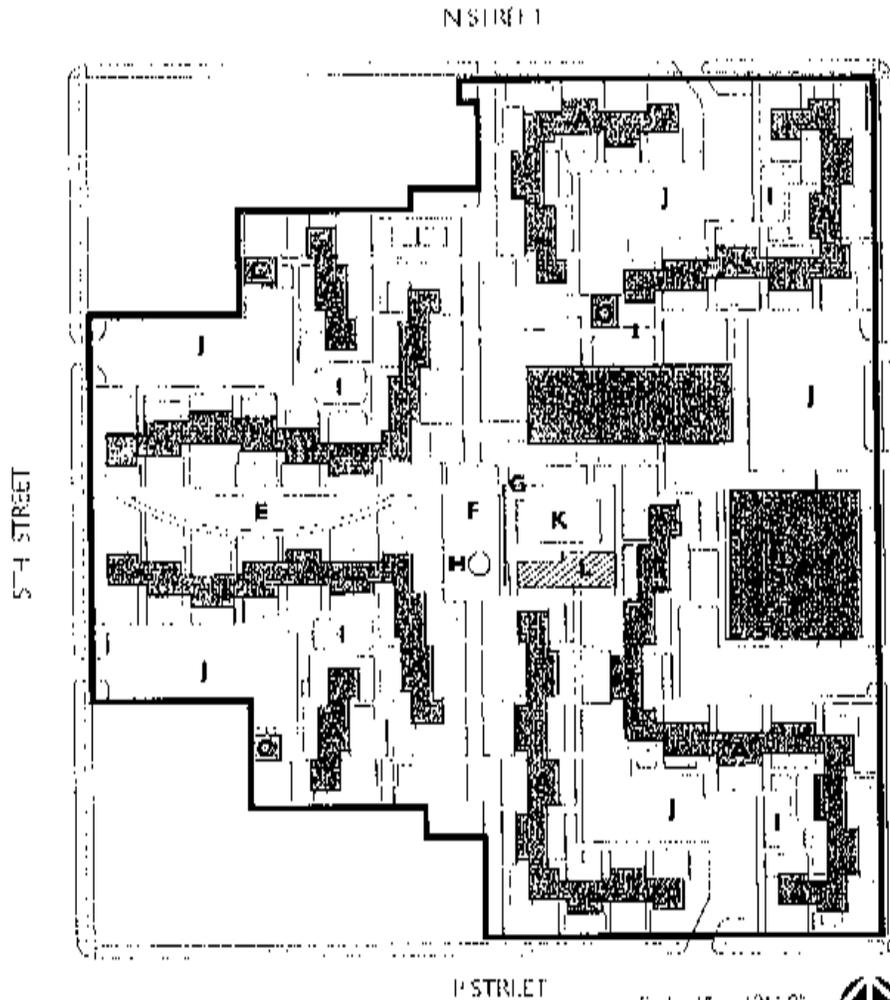


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Additional Documentation

Figure 4. Sketch Map



- Legend**
- Site Boundary
 - Contributing Resources
 - Contributing Landscape
 - ▨ Non-contributing Resources

- Key:**
- A: low-rise garden apartments
 - B: high-rise tower
 - C: laundry/lounge building
 - D: parking structure
 - E: site landscaping
 - F: central plaza
 - G: sculptural wall
 - H: fountain
 - I: landscaped court
 - J: parking lot
 - K: pool
 - L: pool house

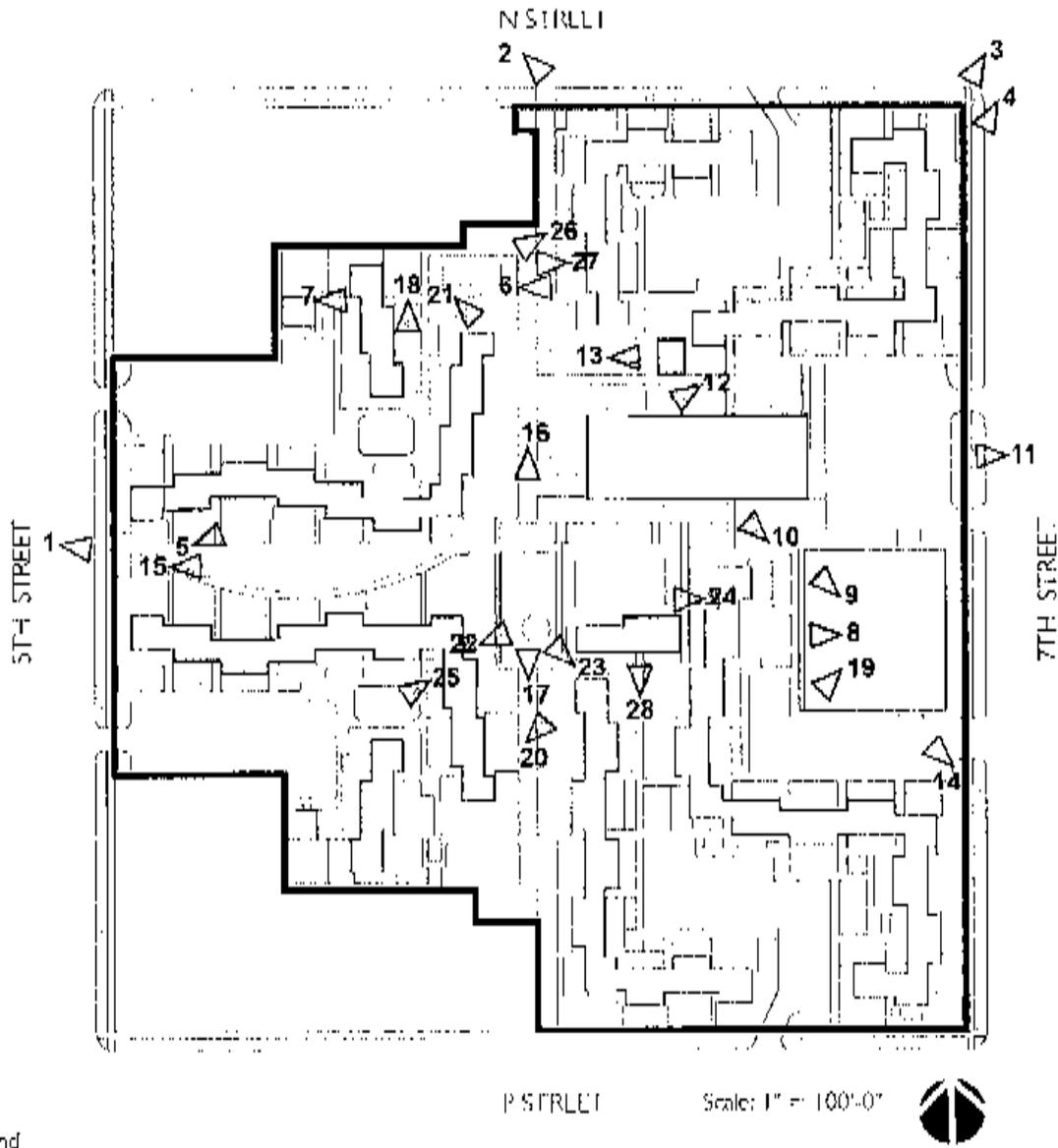
- Parcels Within Site Boundary:**
- 006-0300-002
 - 006-0300-003
 - 006-0300-004

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Additional Documentation

Figure 5. Photo Key

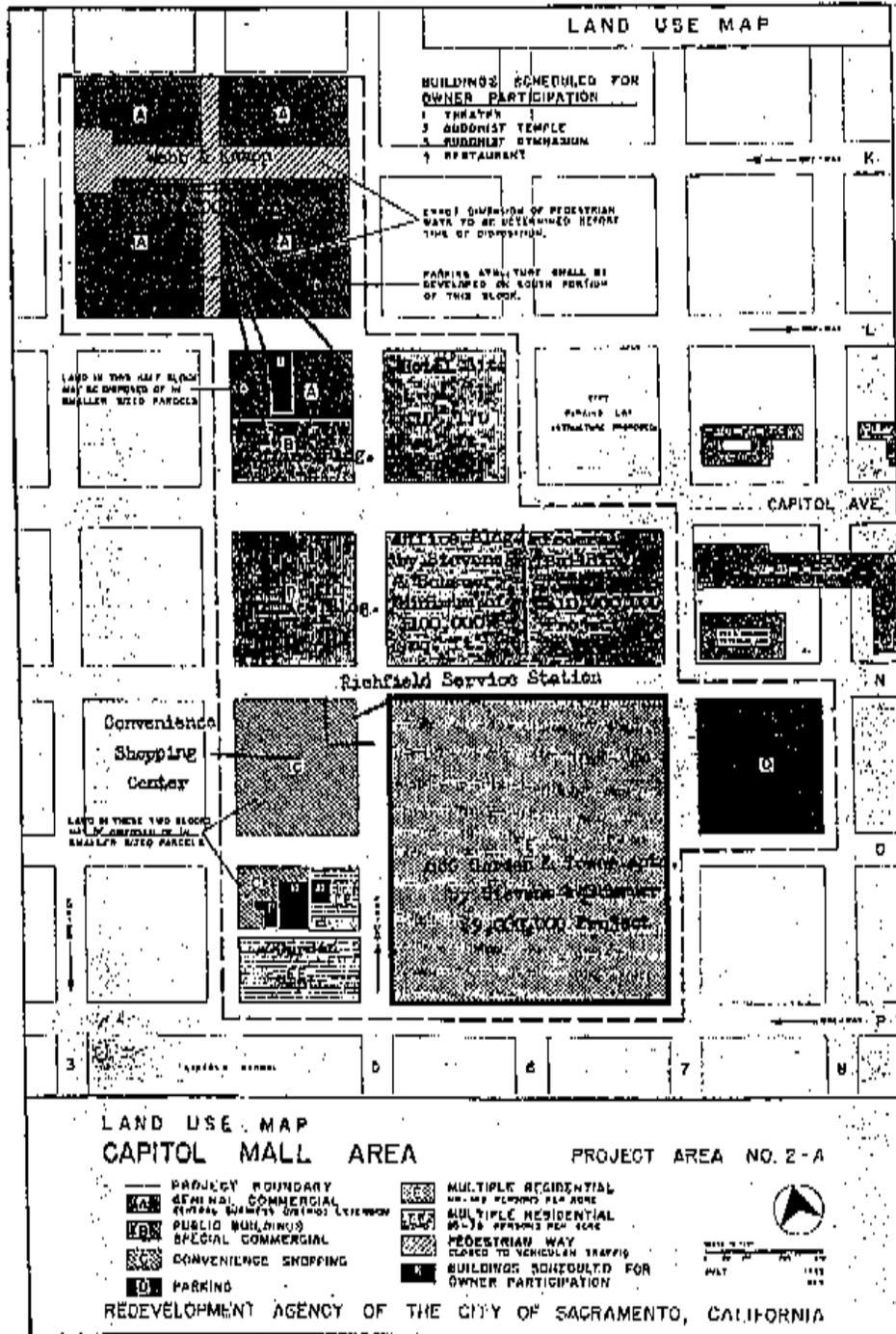


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Additional Documentation: Historic Images

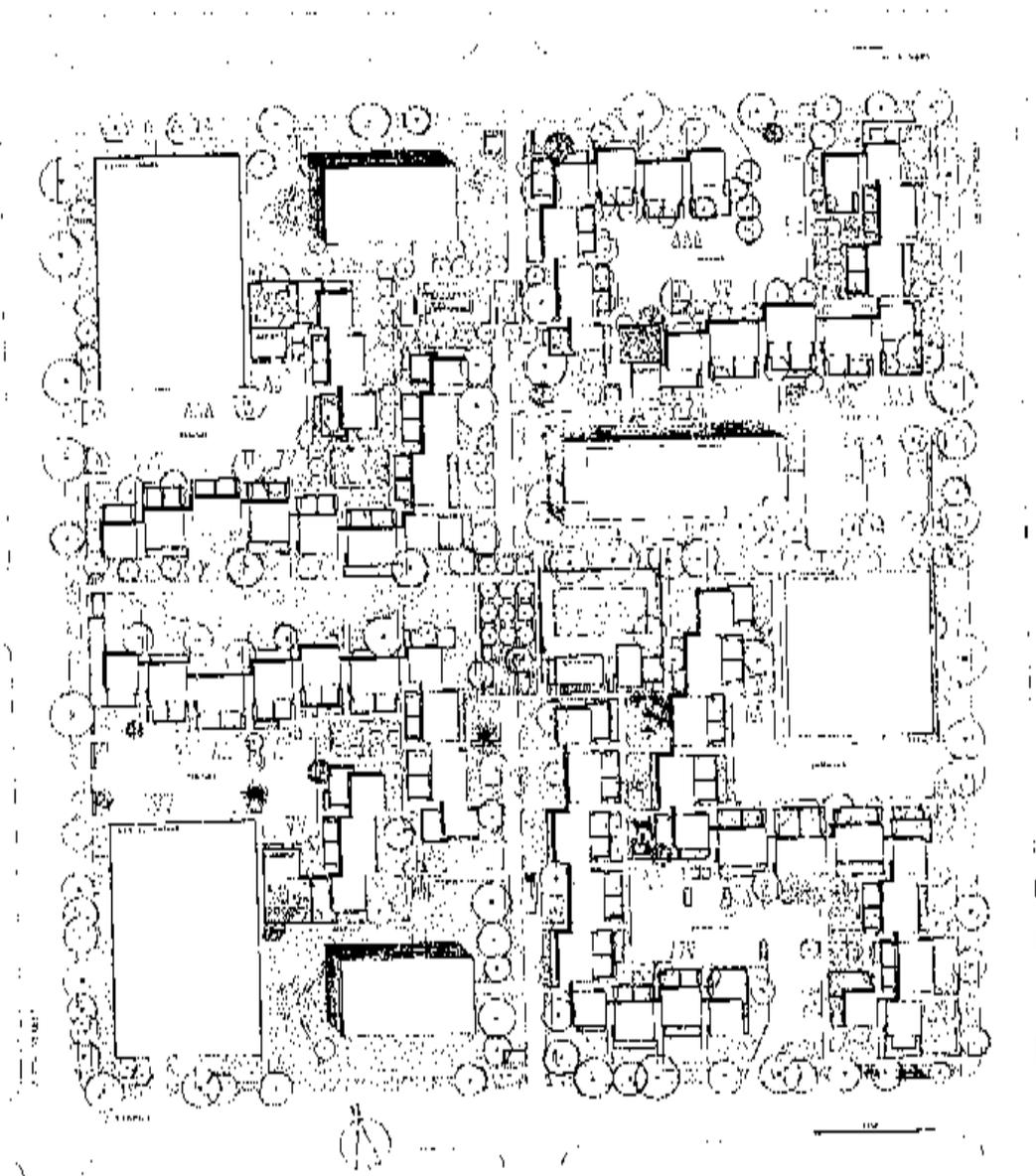
Figure 6. Capitol Mall Redevelopment Project Area, ca. 1959. Capitol Towers is Parcel F outlined in heavy black line. Source: *Sacramento Redevelopment*, May 1959.



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Figure 7. Site plan for Capitol Towers, ca. 1964. Source: Center for Sacramento History, James Henley Collection, 1997/046/0048.



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Figure 8. Initial low-rise units at Capitol Towers, looking north to the Federal Building under construction, 1960. Source: Center for Sacramento History, The Sacramento Bee Collection, 1983/005/SBPM1560.



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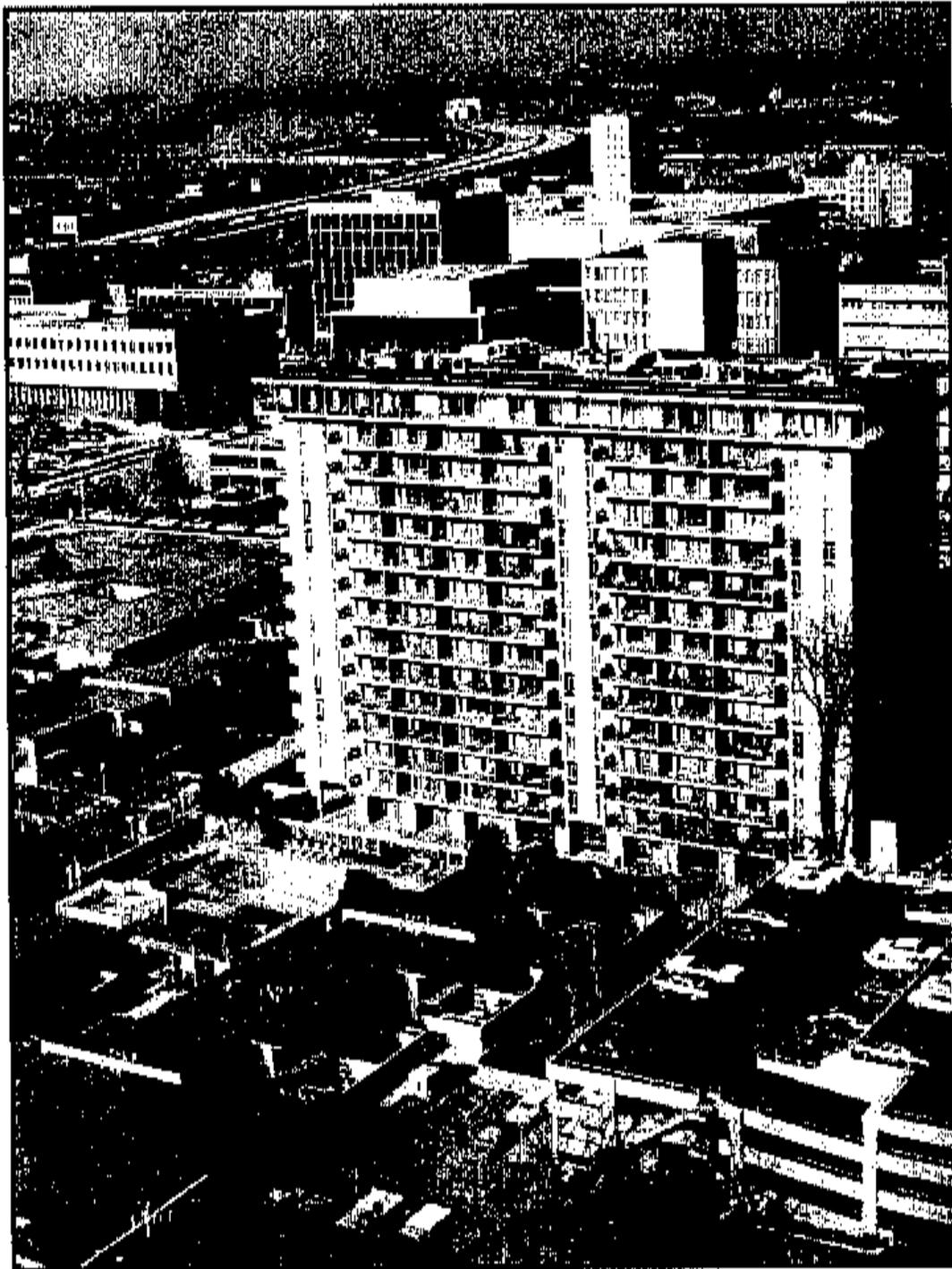
Figure 9. Central plaza at Capitol Towers, with circular fountain and sculptural wall in 1961, looking north. Source: Center for Sacramento History, The Sacramento Bee Collection, 1983/005/SBPM0385.



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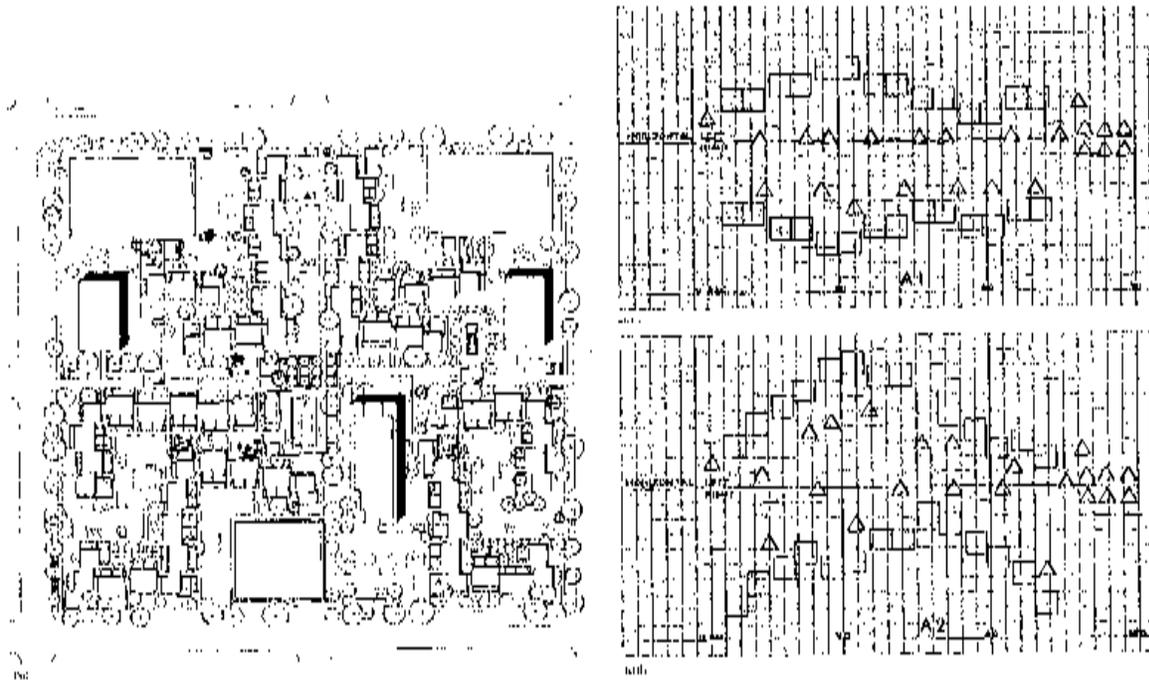
Figure 10. Capitol Towers' high-rise overlooking low-rise units in 1969, looking north. Source: Center for Sacramento History, The Sacramento Bee Collection, 1983/005/SIBPM1564.



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Figure 11a. Movement notation for Capitol Towers in Lawrence Halprin's *Cities*. Source: Lawrence Halprin, *Cities*, revised edition, 1972, 212.



1962, 211a, b, c) The plan is of a four-square block area in Sacramento, recently rebuilt as the best living space to follow the redevelopment process. The automobile is confined to peripheral access; the center provides for pedestrian walks, gardens, recreation area, and a plaza at the core. The notation system here is used to evaluate the walking experience in two areas. The "main track" plots the planned paths of the moving person and relates him to the fixed objects in the space. The experience is then recorded on horizontal and vertical tracks which mark these relationships, plotting time and distance. On the horizontal track, objects to the right are in front of the path and those to the left are behind. In reading the tracks, bear in mind

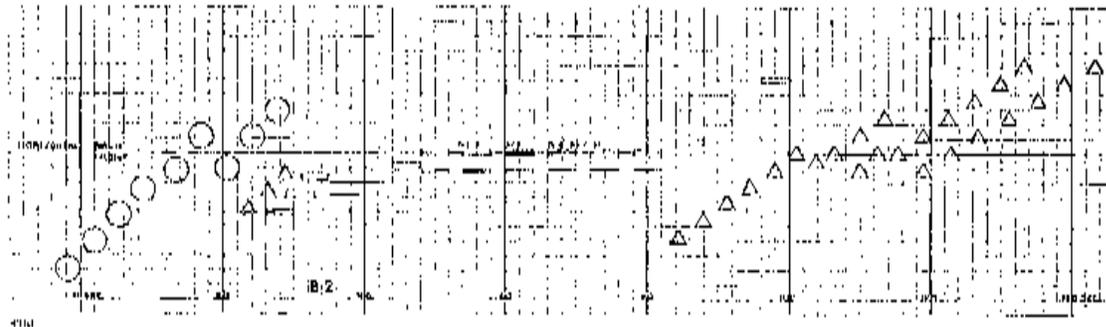
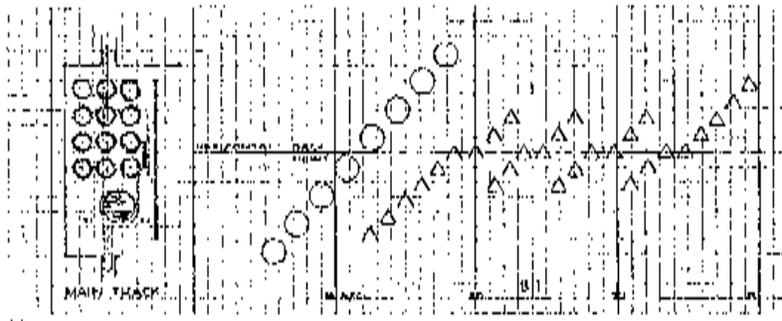
that the basis of the system is that the environment is moving and the person is fixed. The man marked A, a space between two groups of houses, can be traversed on either the straight path A1, or the curved path A2. The plaza area is designated B. The notation B1 indicates the experience of walking directly through the plaza. B2 indicates a more leisurely experience—walking around the plaza to the sculptured fountain, sitting on a bench, and then on, in both cases, the varied experience encountered in the quadrangular patterns A2 and B2 are readily observable through the notation system. This is an example of an evaluation of a given design. The system also functions conversely to develop designs for kinesthetic experience.

- FOUNTAIN
- △ TREE
- BENCH
- WALL
- BUILDING

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Figure 11b. Movement notation for Capitol Towers in Lawrence Halprin's *Cities*. Source: Lawrence Halprin, *Cities*, revised edition, 1972, 213.



CHOROGRAPHY 213

Draft Initial Study
Sacramento Commons (P14-012)



Contact:

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August 6, 2014

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ACRONYMS AND OTHER ABBREVIATIONS

AB	Assembly Bill
ACMs	asbestos-containing materials
afy	acre-feet per year
ARB	Air Resources Board
B.P.	Before Present
Blueprint	Blueprint Project
BMPs	best management practices
CADA	Capitol Area Development Authority
CBC	California Building Standards Code
CBD	Central Business District
CDFW	California Department of Fish and Wildlife
Central Basin	Sacramento Central Groundwater Basin
CEQA	California Environmental Quality Act
CGS	California Geological Survey
City	City of Sacramento
CO	carbon monoxide
CO ₂ e	carbon dioxide equivalent
CSS	combined sewer system
C-VMT	congested vehicle miles traveled
dBA	A-weighted decibels
DDT	dichlorodiphenyltrichloroethane
Delta	Sacramento–San Joaquin Delta
du/ac	dwelling units per acre
du/acre	dwelling units per acre
EIR	Environmental impact report
EPA	Environmental Protection Agency
ESC	Entertainment and Sports Center
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
General Plan	<i>Sacramento 2030 General Plan</i>
GHG	greenhouse gas
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HCP	habitat conservation plan
L _{dn}	day-night average noise level
LOMR	Letter of Map Revision
LS	less than significant
MBTA	Migratory Bird Treaty Act
Mehrten Formation	deep aquifer
mgd	million gallons per day
MMRP	mitigation monitoring and reporting plan

MMT	million metric tons
MOA	Memorandum of Agreement
Modesto Formation	shallow aquifer
MOU	Memorandum of Understanding
MTP/SCS	Metropolitan Transportation Plan/Sustainable Communities Strategy
NAHC	Native American Heritage Commission
NCCP	natural community conservation Plan
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOP	notice of preparation
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
OSHA	Occupational Health and Safety Administration
PCBs	polychlorinated biphenyls
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM ₁₀	PM measuring 10 micrometers in diameter or less
PM _{2.5}	2.5 micrometers in diameter or less
PRC	Public Resources Code
proposed project or project	proposed Sacramento Commons project
PS	potentially significant
PUD	Planned Unit Development
RT	Regional Transit District
RWQCB	Regional Water Quality Control Board
SACOG	Sacramento Area Council of Governments
SB	Senate Bill
SCEA	sustainable communities environmental assessment
SCEMD	Sacramento County Environmental Management Department
SCH	State Clearinghouse
Scoping Plan	<i>Climate Change Scoping Plan</i>
SCUSD	Sacramento City Unified School District
SFD	Sacramento Fire Department
SHPO	State Office of Historic Preservation
SHRA	Sacramento Housing and Redevelopment Agency
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMARA	Surface Mining and Reclamation Act
SMUD	Sacramento Municipal Utility District
SRCSD	Sacramento Regional County Sanitation District
SRWTP	Sacramento River Water Treatment Plant
SRWWTP	Sacramento Regional Wastewater Treatment Plant
SSQP	Sacramento Stormwater Quality Partnership
SU	significant and unavoidable

SVAB	Sacramento Valley Air Basin
SWA	Solid Waste Authority
SWPPP	storm water pollution prevention plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TPA	transit priority area
tpd	tons per day
TPHs	total petroleum hydrocarbons
TPP	transit priority project
U.S. 50	U.S. Highway 50
UCMP	University of California Museum of Paleontology
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
VdB	vibration decibels
WKA	Wallace-Kuhl and Associates, Inc.

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1 INTRODUCTION

On April 8, 2014, the City of Sacramento (City) released a notice of preparation (NOP) for the proposed Sacramento Commons project (proposed project or project) in anticipation that a sustainable communities environmental assessment (SCEA) could be prepared for the project.¹ A 32-day public comment period on the NOP (April 10 to May 12, 2014) was provided. Appendix A to this NOP and initial study contains a list of those comment letters. The full comment letters may be accessed through the City of Sacramento Web site:

<http://portal.cityofsacramento.org/~media/Files/CDD/Planning/Environmental%20Impact%20Reports/Sacramento%20Commons/Sac%20Commons%20NOP%20Responses.pdf>.

This initial study is being released because the City has determined that an environmental impact report (EIR), rather than an SCEA, should be prepared for the proposed project. As discussed further below, the EIR will be prepared pursuant to California Public Resources Code (PRC) Section 21155.2(c).

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This initial study has been prepared by the City of Sacramento as lead agency to evaluate the potential environmental effects of the proposed project. This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (PRC Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

An initial study is prepared by a lead agency to determine whether a project may have a significant effect on the environment (State CEQA Guidelines Section 15063[a]). As provided in Section 15063, the City has determined that an EIR will be prepared for the project, and this initial study identifies key issues that will be evaluated in the EIR.

As described in Chapter 3 of this initial study, the City has determined that potentially significant impacts could be associated with the proposed project. Thus, an EIR will be prepared for the proposed project to further evaluate and, where feasible, mitigate these potentially significant impacts to a less-than-significant level.

The proposed project is a residential mixed-use project proposed on an approximately 10-acre infill site in downtown Sacramento located close to a variety of transit resources and is designed to qualify as a transit priority project (TPP). Pursuant to PRC Section 21155(b), a TPP must (1) contain at least 50% residential use based on total building square footage; (2) have a minimum net density of 20 dwelling units per acre; and (3) be located within one-half mile of a major transit stop or high-quality transit corridor included in the regional transportation plan.

Because the proposed project qualifies as a TPP, this initial study has also been prepared in accordance with PRC Section 21155.2(c)(1). As specified in PRC Section 21155.2(a), the proposed project is required to “incorporate all feasible mitigation measures, performance standards, or criteria

¹ Pursuant to Senate Bill 375, a lead agency is not required to issue an NOP when it prepares an SCEA. However, the City released an NOP in the interest of obtaining early feedback from the public and interested agencies.

set forth in the prior applicable environmental impact reports.” The City has determined that the Sacramento 2030 General Plan Master EIR (State Clearinghouse No. 2007072024), certified on March 3, 2009, and the Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) Program EIR (State Clearinghouse No. 2011012081), certified April 19, 2012, are applicable to the proposed project. The project applicant has agreed to incorporate applicable mitigation measures, performance standards, and criteria set forth in the Sacramento 2030 General Plan Master EIR and the MTP/SCS Program EIR into the project.

1.2 LEAD AGENCY AND COMMENTS

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the proposed project. The City of Sacramento is the lead agency for the project. The City has directed the preparation of an analysis that complies with CEQA. AECOM has prepared this document at the City’s direction.

The purpose of this document is to present to decision-makers and the public the environmental consequences of implementing the proposed project and to focus the EIR on potentially significant impacts. This disclosure document is being made available to the public for review and comment. The initial study is available for a public review period from August 6 through September 5, 2014.

Comments should be addressed to:

Scott Johnson
Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., Third Floor
Sacramento, CA 95811
Phone (916) 808-5842
E-mail: srjohnson@cityofsacramento.org

A copy of the initial study is available for public review at the City of Sacramento Community Development Department at the address listed above and is available on the Community Development Department’s EIR Web site:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

The City circulated an NOP of an SCEA for the project on April 8, 2014. At that time the City believed the project would qualify for streamlining though the preparation of an SCEA. Since that time, the City has determined that the project could have significant effects on the environment, and that the preparation of an EIR would be required.

The City will consider all written comments regarding the previously circulated NOP, or otherwise relating to the project, as comments on this NOP. These comments do not need to be re-sent to be considered. The City will post all comments on the Community Development Department Web site identified above.

1.3 SUMMARY OF FINDINGS

The State CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance” (State CEQA Guidelines, Section 15382). The standards of significance set forth in this initial study were developed in consideration of the standards of significance included in the City of Sacramento Environmental Checklist, 2030 General Plan Master EIR, and MTP/SCS Program EIR.

Chapter 3 of this document contains the analysis and discussion of potential environmental impacts of the proposed project. Based on the issues evaluated in that chapter, it was determined that the proposed project would have no impact related to the following issue areas: Agriculture and Forestry Resources and Mineral Resources. These issues will not be evaluated further. In addition, the State of California has determined that “[a]esthetic and parking impacts of a ... mixed-use residential ... project on an infill site within a transit priority area [such as the proposed project] shall not be considered significant impacts on the environment.” (PRC Section 21099[d][1].) As a result, the impacts of the proposed project related to aesthetics and parking are deemed less than significant as a matter of law and will not be discussed further in the EIR. However, for the purpose of public disclosure, aesthetics and parking are discussed in Chapter 3 of this initial study.

Impacts of the proposed project that were determined to be less than significant, less than significant with mitigation incorporated, or potentially significant and be evaluated further in an EIR for the following issue areas: Air Quality; Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services; Recreation; Transportation and Traffic; Utilities and Service Systems; and Mandatory Findings of Significance. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that one or more of the impacts identified by this initial study as potentially significant can be reduced to a less-than-significant level for the proposed project. The EIR will discuss on-site alternatives to the project.

The project applicant, Kennedy Wilson, has agreed to adopt each of the mitigation measures from the 2030 General Plan Master EIR and MTP/SCS Program EIR described in Chapter 3. A mitigation monitoring and reporting plan (MMRP) will be prepared as part of the EIR process and will include the mitigation measures set forth in this initial study along with any additional mitigation measures identified in the EIR. This initial study will be included in the EIR as an appendix.

1.4 APPROVALS

The following approvals would be required as part of the project:

- ▶ EIR and MMRP
- ▶ Development agreement
- ▶ Planned Unit Development (PUD) establishment to establish PUD Guidelines and a schematic plan for the Sacramento Commons PUD

- ▶ Rezoning of the property from High-Rise Residential Zone (R-5) to High-Rise Zone within the Sacramento Commons PUD (R-5-PUD)
- ▶ Tentative map to subdivide three parcels (total of 11.17 gross acres) into six parcels
- ▶ Demolition permit for the 206 two- and three-story garden apartments
- ▶ Site plan and design review for the proposed tentative map
- ▶ Water supply assessment
- ▶ City of Sacramento Tree Permit

Other public agencies whose approval would be required include:

- ▶ Sacramento Metropolitan Air Quality Management District (SMAQMD)—issues the Authority to Construct/Permit to Operate pursuant to SMAQMD Regulation 2 (Rule 201 et seq.)
- ▶ State Water Resources Control Board/Central Valley Regional Water Quality Control Board—issues Construction Storm Water Discharge Permits
- ▶ Federal Aviation Administration—reviews plans for buildings exceeding 200 feet in height

1.5 DOCUMENT ORGANIZATION

This initial study is organized as follows:

- ▶ **Chapter 1, “Introduction,”** provides an introduction to the environmental review process. It describes the purpose and organization of this document and presents a summary of findings.
- ▶ **Chapter 2, “Project Description,”** describes the purpose of the proposed Sacramento Commons project, identifies project objectives, and provides a description of the proposed project.
- ▶ **Chapter 3, “Environmental Checklist,”** presents an analysis of a range of environmental issues identified in the CEQA Environmental Checklist (State CEQA Guidelines Appendix G) and the City of Sacramento Environmental Checklist. The analyses in each section of this chapter determine for each question on the CEQA and City checklists whether the proposed project would result in no impact, a less-than-significant impact, a less-than-significant impact with mitigation incorporated, or a potentially significant impact. As described previously, impacts for which a “no impact” conclusion is reached will not be evaluated further in the EIR, while all other impacts will be evaluated further in the EIR prepared for the proposed project.
- ▶ **Chapter 4, “References,”** lists the references used in preparation of this initial study.
- ▶ **Chapter 5, “Report Preparation,”** identifies the preparers of this initial study.
- ▶ **Appendices** at the conclusion of this initial study provide additional context.

2 PROJECT DESCRIPTION

Project Title:	Sacramento Commons (P14-012) (State Clearinghouse No. 2014042032)
Lead Agency:	City of Sacramento, Community Development Department 300 Richards Boulevard, Third Floor Sacramento, CA 95811
Lead Agency Contact:	Scot Mende, Project Manager SMende@cityofsacramento.org (916) 808-4756
Environmental Contact:	Scott Johnson, Associate Planner SRJohnson@cityofsacramento.org (916) 808-5842
Project Location:	Approximately 10 acres generally bounded by 5th, 7th, N, and P Streets in the City of Sacramento's Central Business District.
Project Applicant:	Kennedy Wilson 18401 Von Karman Avenue, Suite 350 Irvine, CA 92612
Property Owner:	KW Captowers, LLC

2.1 LAND USE DESIGNATIONS

2.1.1 GENERAL PLAN

The *Sacramento 2030 General Plan* (General Plan) land use designation for the project site is Central Business District (CBD). This designation provides for mixed-use high-rise development and single-use or mixed-use development within easy access to transit (e.g., ground-floor office/retail beneath residential apartments and condominiums). Allowable uses include office, retail, and service uses; condominiums and apartments; gathering places (such as a plaza, courtyard, or park); and compatible public, quasi-public, and special uses. The minimum allowable density is 61 units per net acre, and the maximum allowable density is 450 units per net acre. The minimum floor area ratio (FAR) for mixed-use and nonresidential uses is 3 and the maximum FAR is 15. The overall density of the project (including both mixed-use and residential parcels) is approximately 140–150 dwelling units per acre (du/ac) (depending on whether the Hotel Scenario or the No Hotel Scenario [described in more detail below] is selected), with a FAR of 3.46.

2.1.2 ZONING

The City of Sacramento (City) Planning and Development Code (adopted April 9, 2013) designates the project site as a High-Rise Residential Zone (R-5 Zone). The purpose of the R-5 Zone is “to permit dwellings, institutions, and limited commercial goods and service uses, serving the surrounding neighborhood.” The maximum residential density in the R-5 Zone is 175 du/ac. Most nonresidential uses that are permitted or conditionally permitted in the R-5 Zone are limited to a combined 25% of the gross floor area or 6,400 square feet of a building (whichever is greater), and the FAR from the 2030 General Plan CBD designation (3-15) is applicable. The maximum height in the R-5 Zone is 240 feet.

2.2 PROJECT SITE AND SURROUNDING LAND USES

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. Surrounding land uses include federal and state offices to the north, west, and east. Two multifamily properties (Governor's Square and Pioneer House) are located at the southeast and northwest corners, respectively, of 5th and P Streets. In addition, the State of California Central Plant (which heats and cools state buildings) is located on the south side of P Street, across the street from the project site (see Figure 2-1, "Regional Location").

The project site encompasses approximately 10.13 acres on portions of four blocks in downtown Sacramento. The project site is currently developed with a residential rental property, containing 409 units, approximately 4,122 square feet of neighborhood-serving retail and commercial space, recreational amenities (including a swimming pool), laundry facilities, various landscaped areas, and a three-level parking structure containing 200 parking spaces and 190 spaces on surface lots. The 409 units consist of 206 two- and three-story garden apartments (constructed in 1962 and renovated between 2002 and 2004) and 203 units in the 15-story Capitol Towers building (completed in 1966). Sharing the four-block project area, but not part of the project site, are the separately owned 15-story 500 N Street condominium tower (completed in 1980 as Bridgeway Towers), which includes 134 residential units, and the 12-story Pioneer Towers senior apartments (built in 1978), which includes 198 residential units. Figure 2-2 illustrates the project location and the existing development pattern.

The Capitol Towers building, the existing garden apartments, and the overall site were originally designed by the San Francisco architectural firm of Wurster, Bernardi, and Emmons, which worked in collaboration with New York architect, Edward Larrabee Barnes, fellow Bay Area architectural firm DeMars & Reay, and the landscape architecture firm Lawrence Halprin & Associates. However, the development was not built in complete accordance with the original scope or design plans (see Section 3.5, "Cultural Resources," for a historical overview of the design and development of the Capitol Towers property). The project site also includes an eight-panel set of concrete relief art pieces, which are installed on the wall by the swimming pool facing west toward the property's central plaza. The wall was created by French-born San Francisco Bay Area sculptor, Jacques Overhoff, and was installed on the property in 1961.

The development of the project site in the 1960s included creation of a "superblock" with the closure of 6th Street, between N and P Streets, and O Street between 5th and 7th Streets. Pedestrian routes were created through the project area where these streets were located. The project would enhance these areas as promenades. The streets defining the project site's boundaries are all one-way streets: 5th Street is northbound, 7th Street is southbound, N Street is eastbound, and P Street is westbound. These streets define the site's western, eastern, northern, and southern boundaries, respectively.

There are currently 50 trees within or adjacent to the proposed development area meeting the minimum size or location criteria of either a City Street Tree or Heritage Tree as defined by the City of Sacramento. Of these, 39 are located along the project perimeter and meet the definition of a City Street Tree, which includes any tree growing on a public street right-of-way. The remaining 11 trees meet the minimum size criteria for classification as a Heritage Tree by the City of Sacramento,

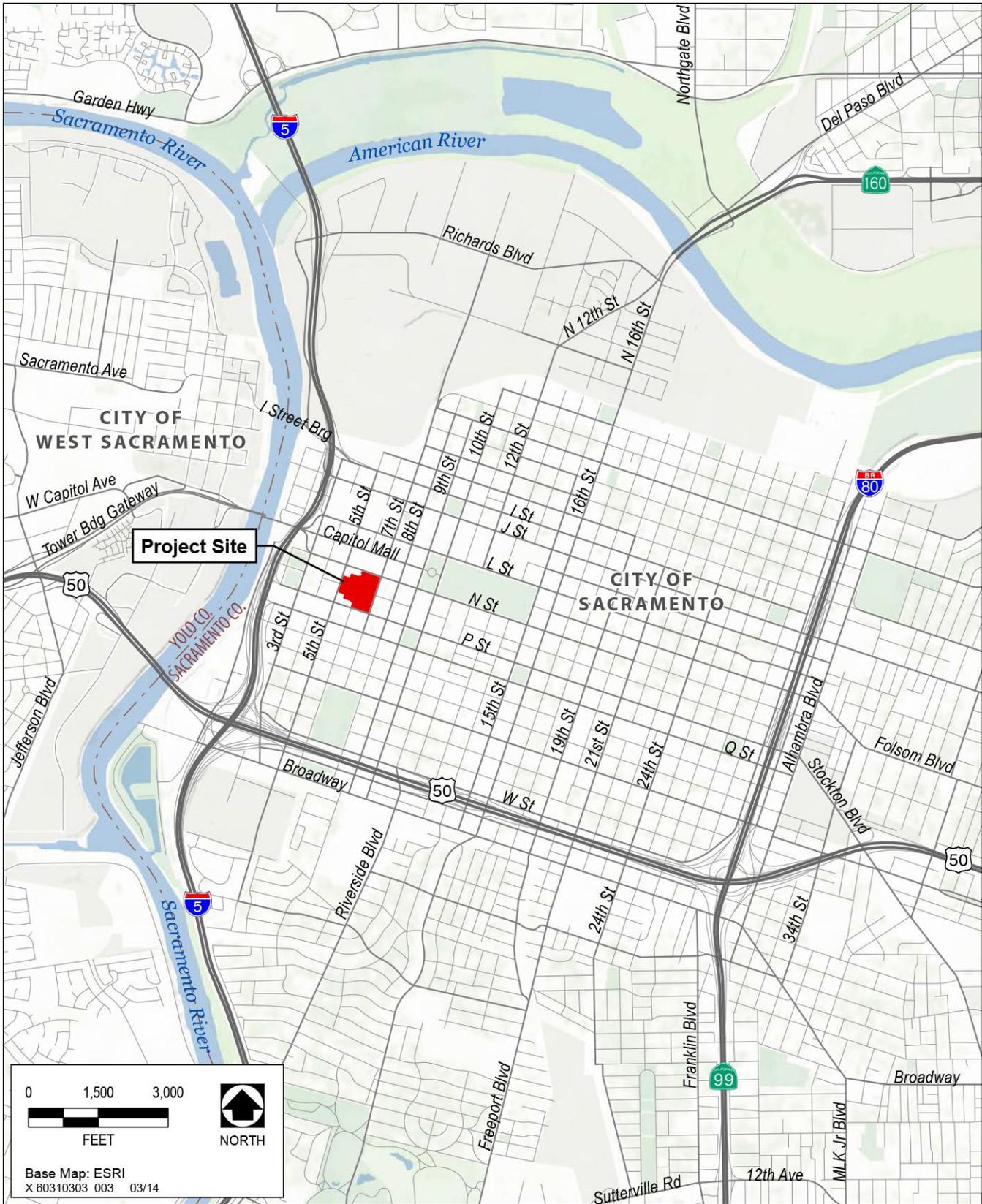


Figure 2-1

Regional Location

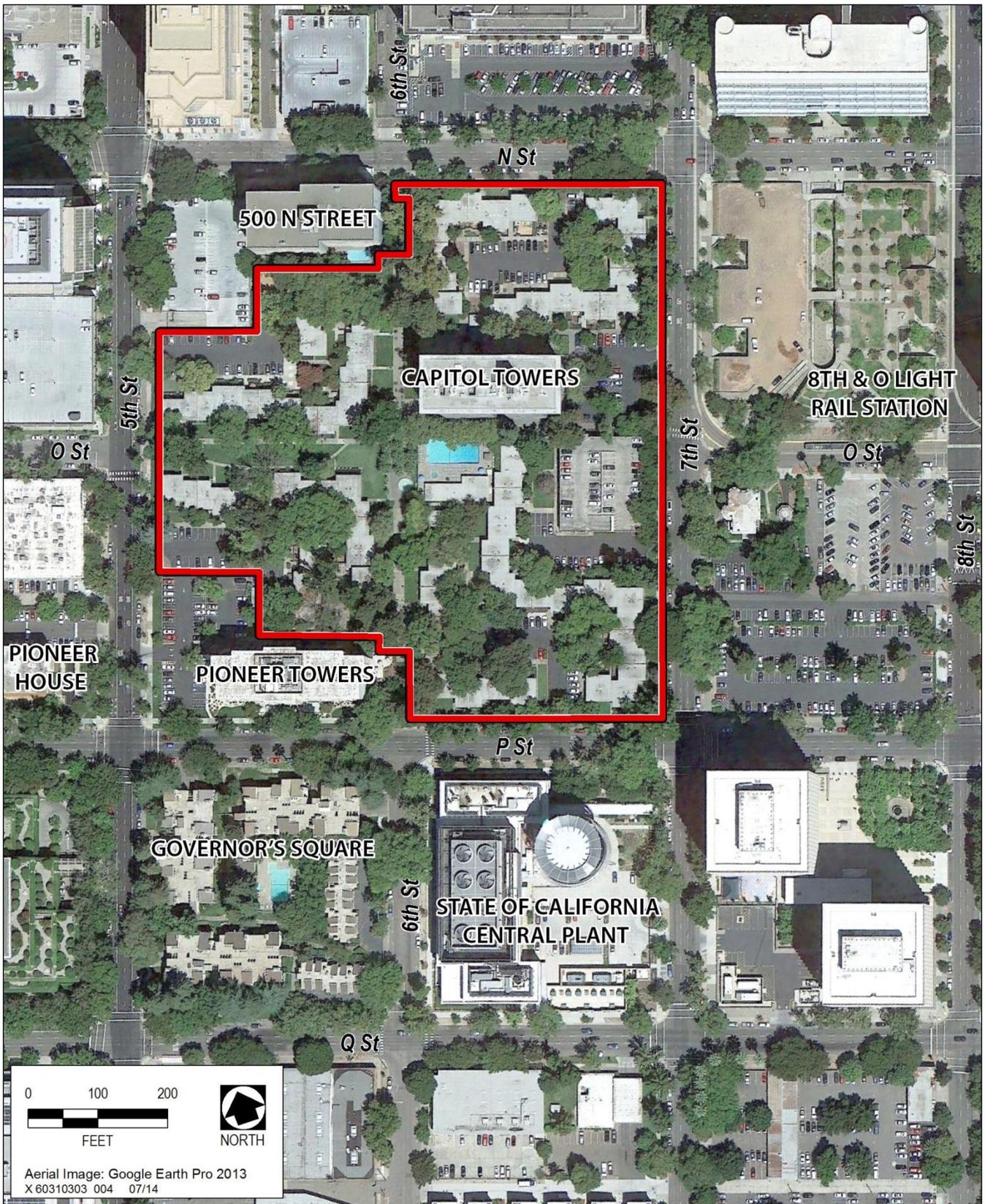


Figure 2-2

Project Location

which includes any tree of good quality in terms of health, vigor of growth, and conformity to generally accepted horticultural standards of shape and location of its species with a trunk circumference measuring 100 inches or more; any oak, sycamore, buckeye, or riparian tree of good quality in terms of health, vigor of growth and conformity to generally accepted horticultural standards of shape and location of its species with a trunk circumference measuring 36 inches or more; or any tree designated by the City Council to be of special historical or environmental value or of significant community benefit. Additionally, of the 39 City Street Trees, six meet the size criteria for classification as Heritage Trees. However, for the purposes of this initial study, these six trees are classified as City Street Trees (Sacramento City Code, Section 12.56.020 [“City Street Tree Regulations”] and Section 12.64.020 [“Heritage Tree Regulations”].)

The project site is served by the City of Sacramento for sanitary sewer, storm drainage, and water facilities.

The project site’s sewer service is provided through the City’s combined sewer system (CSS) and flows are conveyed to the Sacramento Regional Wastewater Treatment Plant, located south of the city in Elk Grove. The CSS collects storm runoff and sewer in the same pipe and conveys the flows to the wastewater treatment plant. However, storm runoff in the project site’s vicinity is conveyed separately and the project site is served by the City’s CSS for sewer only. An existing 12-inch sanitary sewer main passes through the site from N Street to P Street (along the old 6th Street alignment). This line serves the existing buildings north of the project site and central portions of the project site. The line flows westward in P Street and connects to an existing 18-inch line in 5th Street. This 5th Street line serves the westerly portion of the project site. The two lines collect to a 24-inch sanitary sewer main that flows southward in 5th Street. There is also an easterly portion of the site that connects to an existing 24-inch sewer main located in 7th Street.

The project site is within the City’s Basin 52 drainage shed area. Unlike the majority of the downtown area, this drainage shed area separates storm runoff from the existing CSS and conveys storm drainage flows in dedicated drainage pipes. The system flows to Sump 52, located near the south side of the Crocker Art Museum at 2nd and P Streets. From this location, it pumps storm drainage to the Sacramento River. The storm drainage for the project site is collected and directed to various connection points in N, P, and 7th Streets.

The project site is served by a system of looped water mains surrounding the site. An 18-inch water transmission main crosses the project site in a north-south direction (along the old 6th Street alignment), paralleling the existing sewer main. There is a 10-inch main in 5th Street and P Street, a 8/10-inch main in 7th street, and a 12-inch main in N Street (West of 6th Street).

2.3 PROJECT OBJECTIVES

The primary objectives of the Sacramento Commons project are to:

- ▶ intensify a unique urban downtown residential community close to urban amenities (e.g., shopping, services, transit, entertainment, and cultural attractions);

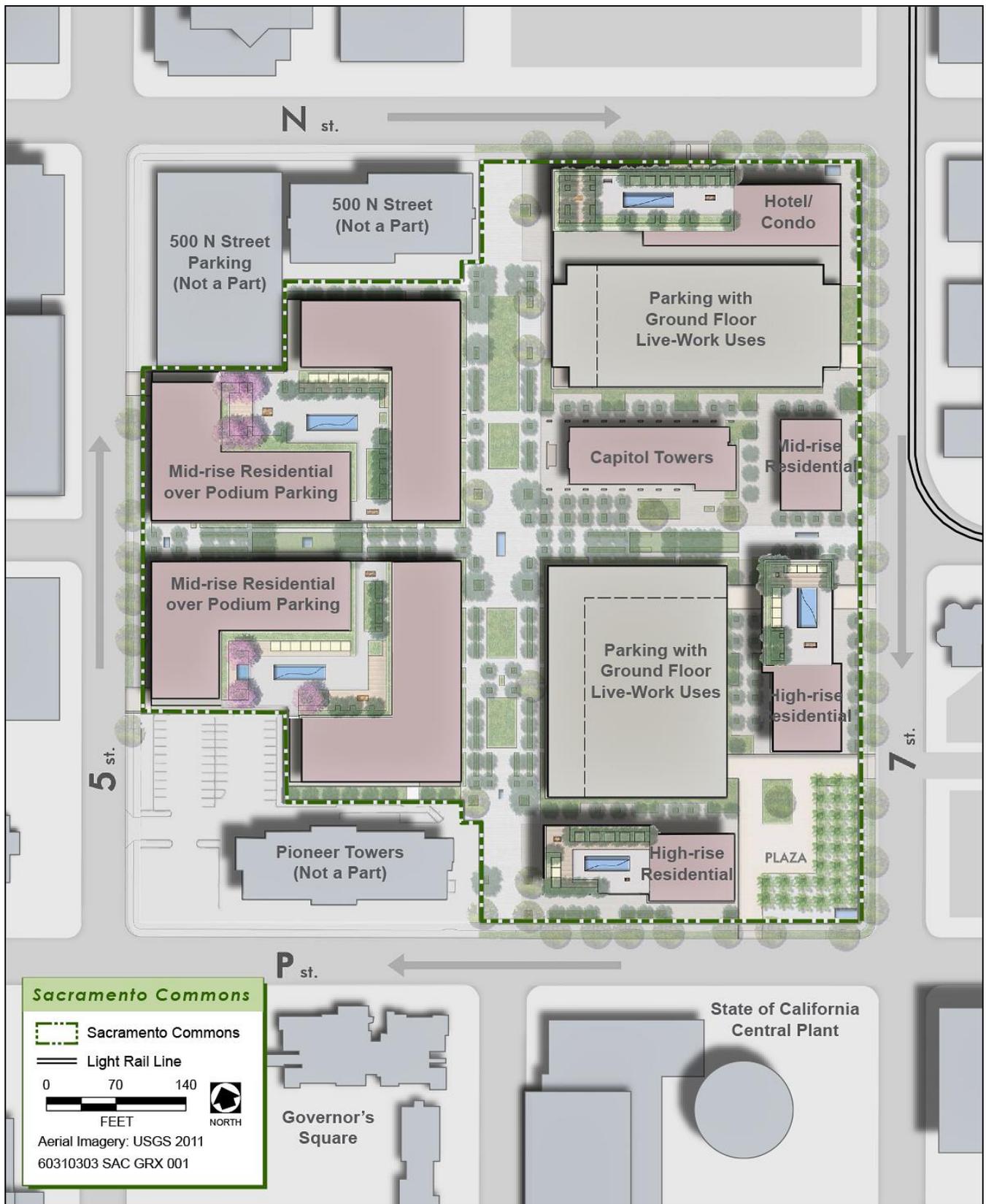
- ▶ support investment and reinvestment in downtown Sacramento, particularly with more residential uses;
- ▶ intensify an attractive and sustainable infill development project that provides additional residential uses near the major employment centers of downtown Sacramento;
- ▶ plan for high-density residential uses to support surrounding transit services and access to a variety of transportation modes;
- ▶ respect the site’s original block pattern by enhancing pedestrian movement through the central portions of the Planned Unit Development (PUD) area;
- ▶ provide additional housing choices attractive to Sacramento’s diverse population, supported by retail and services for the residents and guests of Sacramento Commons;
- ▶ plan open space areas to support uses on-site and provide places for community gathering, activity, privacy, and connectivity;
- ▶ plan consistently with the *Sacramento 2030 General Plan* and the Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS); and
- ▶ incorporate sustainable features that help the City and region achieve their sustainability targets, while enhancing the livability of the community.

2.4 DESCRIPTION OF PROJECT

The proposed project has two different development options. The first option (i.e., Hotel Scenario) would remove the 206 existing garden apartment units and develop a 320-room hotel and up to 1,422 new dwelling units including approximately 49 live/work units (residences that provide for offices, artist studios, or incubator businesses) and includes the existing Capitol Towers building, resulting in an average density across the project site of up to 140 dwelling units per acre. The Hotel Scenario would also include the addition of up to 69,122 square feet of neighborhood-serving retail or support space (including the existing 4,122 square feet of retail uses within Capitol Towers), located at street level, with support space also provided on the second floor of the hotel.

The second option is similar but replaces the hotel with additional residential units. This option is referred to as the No Hotel Scenario. The No Hotel Scenario would remove the 206 existing garden apartment units and develop up to 1,522 dwelling units, including approximately 49 live/work units (residences that provide for offices, artist studios, or incubator businesses). The No Hotel Scenario would include the existing Capitol Towers building and would result in an average density across the project site of up to 150 dwelling units per acre. The No Hotel Scenario would also include the addition of up to 65,122 square feet of neighborhood-serving retail or support space (including the existing 4,122 square feet of retail uses within Capitol Towers), located at street level.

Figure 2-3 illustrates the proposed project.



Source: Data provided by Van Ti burg, Banvard & Soderbergh, AIA, and adapted by AECOM in 2014

Figure 2-3

Proposed Project

Sacramento Commons would include four basic land uses: open space, mixed-use, mid-rise residential, and high-rise residential on a project site organized into six parcels (Parcels 1, 2A, 2B, 3, 4A, and 4B). The sequence of the parcel numbers in Figure 2-4 does not reflect a particular phasing sequence. Both mid-rise and high-rise residential uses would be subject to and consistent with the maximum density limits and height limits in the R-5 Zone. Mixed-use parcels would be subject to and consistent with the FAR requirements for the CBD General Plan land use designation.

Parcel 1 is proposed to be high-rise residential. Parcels 2A, 2B, and 4B are proposed to be mid-rise residential. Parcel 4A would be designated mixed-use, and would include both residential and neighborhood retail/support uses on the ground floor. Parcel 3 would be designated mixed-use in the Hotel Scenario and would include a hotel, as well as both residential and neighborhood retail/support uses on the ground floor and second floor. Under the No Hotel Scenario, Parcel 3 would be designated high-rise residential and include a condominium development.

2.5 PROJECT ELEMENTS

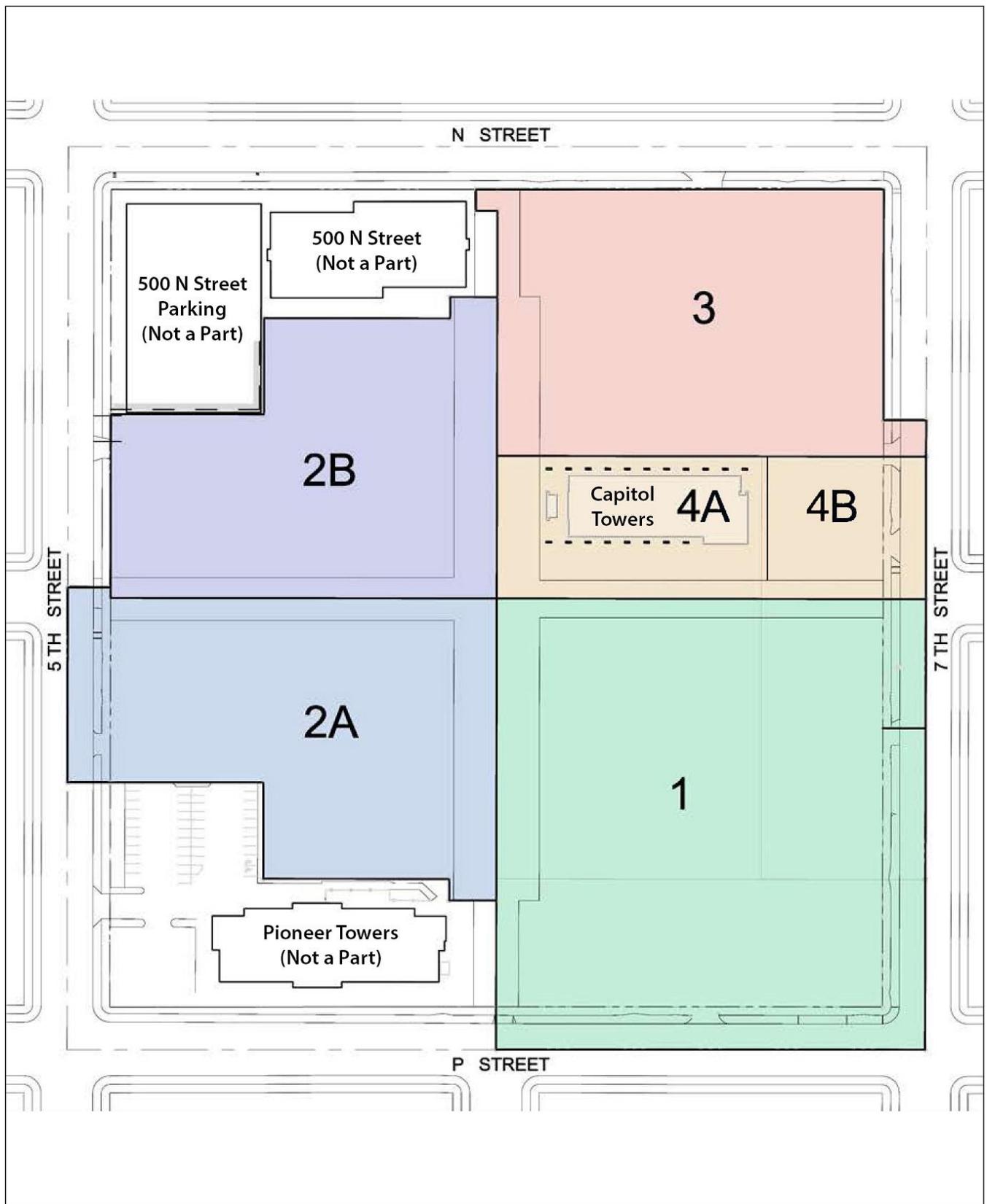
2.5.1 RESIDENTIAL USES

Sacramento Commons would include up to 1,422 residential dwelling units (not counting hotel rooms) with the Hotel Scenario on Parcel 3, or 1,522 residential dwelling units with the No Hotel Scenario on Parcel 3. Residential units consist of rental and for-sale units, 203 existing units within the Capitol Towers building, and up to 49 live/work units (Table 2-1). The residential development mix within each parcel, shown in Figure 2-4, would consist of the following housing products and unit counts:

- ▶ **Parcel 1:** Two 24-story high-rise towers, with ground floor neighborhood retail and/or support services, totaling 550 apartment units; plus an additional 12 live/work units, wrapped around the parking structure.
- ▶ **Parcels 2A and 2B:** 450 apartment units in mid-rise buildings, consisting of five levels of residential uses over two stories of podium parking, and wrapped by neighborhood retail and/or support services and a total of 30 live/work units.
- ▶ **Parcel 3:** One of the following options:
 - *Hotel Scenario*—a high-rise development with 120 condominium units and 320 hotel rooms, over two stories of neighborhood retail and/or support services (street level and second level).
 - *No Hotel Scenario*—a total of 220 condominium units over neighborhood retail and/or support services.

Both options include four live/work units.

- ▶ **Parcel 4A:** Interior and exterior modification to the 203 units that currently exist in the Capitol Towers building.
- ▶ **Parcel 4B:** 50 units in a seven-story mid-rise building, with three live/work units provided on the first two stories of the building.



Source: Data provided by Van Turg, Banvard & Soderbergh, AIA, and adapted by AECOM in 2014

Figure 2-4

Parcel Diagram

**Table 2-1
Land Use Summary¹**

Land Use	Max. Units or Rooms	Use Area (square feet)
Parcel 1—High-Rise Residential (3.22 net acres)		
Residential (24-story high-rises)	550	496,680
Neighborhood Support ²	NA	24,000
Live/Work Units	12	10,800
Parcel 2A—Mid-Rise Residential (1.83 net acres)		
Residential (seven-story mid-rises)	225	199,250
Neighborhood Support ²	NA	4,500
Live/Work Units	15	13,500
Parcel 2B—Mid-Rise Residential (1.90 net acres)		
Residential (seven-story mid-rises)	225	199,250
Neighborhood Support ²	NA	4,500
Live/Work Units	15	13,500
Parcel 3, Hotel Scenario—Mixed-Use (2.08 net acres)		
Hotel Rooms	320	140,000
Residential (22-story high-rise)	120	172,800
Neighborhood Support/Retail ³	NA	32,000
Live/Work Units	4	3,600
Parcel 3, No Hotel Scenario—High-Rise Residential (2.08 net acres)		
Residential (22-story high-rise)	220	316,800
Neighborhood Support ²	NA	28,000
Live/Work Units	4	3,600
Parcel 4A—Mixed-Use (0.76 net acre), Existing Capitol Towers		
Residential (15-story high-rise)	203	171,000
Neighborhood Support/Retail	NA	4,122
Parcel 4B—Mid-Rise Residential (0.34 net acre)		
Residential (five-story mid-rise over two levels of live/work units)	50	33,350
Live/Work Units	3	2,700
Project Totals Based on the Hotel Scenario (10.13 net acres)		
Total Residential	1,422 (including 49 live/work units)	1,316,330
Hotel Rooms	320	140,000
Neighborhood Support/Retail	NA	69,122
Project Totals Based on the No Hotel Scenario (10.13 net acres)		
Total Residential	1,522 (including 49 live/work units)	1,460,330
Neighborhood Support/Retail	NA	65,122
Notes: The project would include a total of approximately 1,525,452 square feet of total floor area on 10.13 net acres of the project site, for an overall floor area ratio (FAR) of 3.46 (excluding the separately owned 500 N Street and Pioneer Towers properties).		
¹ All areas are based on net developable acres.		
² 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).		
³ In Parcel 3, neighborhood support/retail includes first- and second-floor space under the Hotel Scenario.		
Source: Data provided by Van Turg, Banvard & Soderbergh, AIA, and adapted by AECOM in 2014		

2.5.2 NEIGHBORHOOD-SERVING RETAIL AND SUPPORT USES

The existing retail uses at the Capitol Towers building include a grocery store, a coffee shop, a barber, and a restaurant, among other uses. These uses serve both existing Capitol Towers residents and the surrounding neighborhoods. Existing support uses at Capitol Towers include a leasing and management office. Additional retail uses would be included in the Sacramento Commons project to serve residents and guests, as well as the surrounding area. Additional support uses included in the Sacramento Commons project would provide amenities for residents and their guests and may include uses such as gyms, spas, meeting spaces, activity rooms, and other similar uses.

2.5.3 HOTEL

A hotel containing up to 320 rooms would be constructed within Sacramento Commons on Parcel 3 as part of the Hotel Scenario. The hotel would include street-level and second-level retail or support space that may include a restaurant. Hotel amenities would include conference and meeting spaces and a fitness center. The hotel would have a guest drop-off zone, accessed from N Street. As discussed above, Parcel 3 would also include up to 120 condominium units should the Hotel Scenario be constructed, compared to 220 condominium units should the hotel not be constructed (No Hotel Scenario).

2.5.4 PARKING FACILITIES

The PUD Guidelines identify parking ratios for the various land uses proposed. Table 2-2 presents the parking standards and the number of spaces to be included in the project. The proposed project would provide a minimum of either 1,699 spaces (No Hotel Scenario) or 1,778 spaces (Hotel Scenario).

Table 2-2 Vehicular Parking Requirements		
Land Use	Parking Ratio Used	Parking Spaces Provided
Residential Apartments and Live/Work Units	One space per unit	1,302 spaces
Condominium Units	1.25 spaces per unit	150 or 275 spaces ¹
Hotel and Support Services (Parcel 3, Hotel Scenario)	One space per two guest rooms, plus spaces for additional services (e.g., conference center, restaurant) or events	160 spaces, plus 100 spaces for hotel functions
Neighborhood Retail or Support Services	One space per 500 gross square feet of retail or support space	66 or 122 spaces ²
Total Required Vehicular Spaces	–	1,778 or 1,699 spaces ³
Notes:		
¹ 150 spaces provided for condominium units based on Parcel 3–Hotel Scenario; 275 spaces provided for condominium units based on Parcel 3–No Hotel Scenario.		
² An additional 66 spaces are planned for retail and support services on Parcel 3–Hotel Scenario and 122 spaces provided for neighborhood support/retail on Parcel 3–No Hotel Scenario.		
³ 1,778 total spaces required based on Parcel 3–Hotel Scenario; 1,699 total spaces required based on Parcel 3–No Hotel Scenario.		
Source: Data compiled by AECOM in 2014		

For Parcel 1, parking would be located in a six-level garage with one level of the garage located below grade and include approximately 610 spaces. The garage would include live/work units and retail/support services on the ground floor along the promenades.

Parcels 2A and 2B would each include a two-level garage with approximately 250 spaces, for a total of approximately 500 spaces across the two parcels. The garages are proposed to be built entirely above grade but may extend both above and below grade, if necessary. The garages would serve as the base of the apartment buildings, and retail and/or support services and live/work units would wrap along the ground floor of the building, shielding the garage from public view.

For Parcels 3, 4A, and 4B, parking would be provided in a multistory garage on Parcel 3. The garage would include live/work units and retail/support services on the ground floor along the promenade. Under the Hotel Scenario, the garage on Parcel 3 would include 670 stalls on six levels of parking, with one level of the garage located below grade. Under the No Hotel Scenario, the garage on Parcel 3 would include 591 stalls on five levels of parking, built entirely above grade.

In addition to vehicle parking, the project would include both long-term and short-term bicycle parking spaces, consistent with the parking ratios and bicycle parking standards, identified for the Central Business District in City Code Chapter 17.608. The project would also comply with California Green Building Standards Code (CalGreen Building Code) standards for nonresidential uses that require short-term bicycle parking for nonresidential uses (including the hotel and neighborhood support/retail) be permanently anchored bicycle racks, placed within 100 feet of a visitor entrance and visible to passersby for 5% of the visitor vehicle parking capacity.

2.5.5 PROMENADES, WALKWAYS, AND COMMUNITY AMENITIES

The East/West Promenade would be approximately 40–60 feet wide and lined with live/work units and/or neighborhood-serving retail or support uses at grade. It would be constructed of a paved concrete surface, punctuated by planted tree wells for shade and some areas of open turf lawn. The North/South Promenade would be 60–80 feet wide and would also be lined with live/work units and/or neighborhood-serving retail or support uses at grade, with residences and parking provided above grade. Like the East/West Promenade, it would be a balance of hardscape paving lined with both existing Heritage Trees and new canopy trees set in planted tree wells and open lawn areas.

A secondary network of smaller scale pedestrian passageways would connect both the existing and proposed buildings between the North/South Promenade and 7th Street. These passageways would be tree-lined to provide adequate shade, and would include smaller seating areas and additional planted areas (see Figure 2-3, above).

The corner of P and 7^h Streets would be occupied by a large urban plaza organized around a prominent water feature and palm tree canopy, accommodating pedestrians, loading, and drop-offs.

2.5.6 LANDSCAPE ELEMENTS

The project site currently has 50 trees that meet the City's definition of either a City Street Tree or a Heritage Tree: 39 City Street Trees located along the perimeter of the project site and 11 trees that

meet the minimum size criterion for a Heritage Tree. The proposed project would remove up to four Heritage Trees for construction, and up to an additional six Heritage Trees depending on the final locations of buildings. Four City Street Trees would be removed to facilitate site access or utility installation. The remaining City Street Trees would be protected in place (as feasible), providing a mature, vegetated “frame” around the new community. Understory planting would include both climate-adapted, water-wise plantings and open turf lawn that could be used for gathering or passive recreation. Both the plantings and lawn areas would permit stormwater infiltration. Consequently, plant selection would focus on durability, maintenance, and appropriateness, as well as aesthetics.

2.5.7 INFRASTRUCTURE

ACCESS AND CIRCULATION

The project site is located in Sacramento’s downtown core area and is generally bounded by 5th, 7th, N, and P Streets, which provide access to the site. Interstate 5 is located three blocks west of the project site, providing access to points north and south of the site. U.S. Highway 50 is located 12 blocks to the south, providing access to points east and west of the project site.

WATER SUPPLY DISTRIBUTION

The City of Sacramento Department of Utilities provides water to the city. The City uses water from the American River and the Sacramento River. These two intakes supply raw water to treatment facilities first, then to end users.

The project site is served by a system of looped water mains surrounding the site. An 18-inch water transmission main crosses the project site in a north-south direction (along the old 6th Street alignment), paralleling the existing sewer main. There are 10-inch water mains in 5th and P Streets, an 8-inch main in 7th Street (north of the O/P Alley), and a 10-inch main south of the O/P Alley.

The existing water infrastructure is considered adequate for water supplied for both domestic and fire flows. The City has indicated that no connections to the existing 18-inch transmission main would be allowed with this project. As a result, the project would make all necessary connections for domestic and fire department uses from the existing mains in 5th Street, 7th Street, and P Street.

WASTEWATER COLLECTION

The City of Sacramento Department of Utilities provides wastewater collection services for the City. The City originally used a CSS that provided sewage and drainage services to more than 24,000 parcels in downtown Sacramento, Midtown, Land Park, and East Sacramento. The system, originally established in the 1800s, collects sewage and stormwater in the same pipe. The combined wastewater is pumped to the Sacramento Regional County Sanitation District’s Sacramento Regional Wastewater Treatment Plant in Elk Grove, where it is treated and released back to local rivers. During heavy-rain events, excess stormwater is also treated at several City facilities before being released back to the river.

This project site is within the City’s CS352 basin. This basin uses the existing combined system for sewer flows only. The sewer mains that front the project site go into Sump 1, which is then pumped into Pioneer Reservoir and sent to the Sacramento Regional Wastewater Treatment Plant for treatment.

An existing 12-inch sanitary sewer main passes through the site from N Street to P Street (along the old 6th Street alignment). This line serves the existing buildings north of the project site and central portions of the project site. The line flows westward in P Street and connects to an existing 18-inch line in 5th Street. This 5th Street line serves the westerly portion of the project site. The two lines collect to a 24-inch sanitary sewer main that flows southward in 5th Street. The easterly portion of the project site connects to an existing 24-inch sewer main located in 7th Street.

Although the existing sewer infrastructure serving the project site was originally designed to convey the combined sewer and stormwater flows and now conveys only sewer flows, the system is generally undersized for managing sewer flows generated in this area. However, the project applicant would be required to participate in the Combined Sewer System Development Fee Program, which is designed to mitigate that project's impacts on the sewer system.

STORMWATER COLLECTION

The City of Sacramento Department of Utilities maintains the City's storm drainage facilities.

The project site is within the City's Basin 52 drainage shed. Unlike the majority of the downtown area, this drainage shed area separates storm runoff from the existing CSS and conveys storm drainage flows in dedicated drainage pipes. The system flows to Sump 52, located near the south side of the Crocker Art Museum at 2nd and P Streets. From this location it pumps storm drainage to the Sacramento River.

The storm drainage for the project site is collected and directed to various connection points in N, P, and 7th Streets.

The project site has been previously developed. As a result, the proposed project is required to comply with the City's "Do No Harm" policy. This policy requires infill areas to fully mitigate any potential increase in flows leaving the project site. The project would construct sufficient on-site detention to ensure that there would be no increase in storm runoff leaving the project site.

The project site is an existing, developed parcel in the heart of Sacramento. As a result, there are existing site features that would be preserved and integrated into the overall stormwater management plan for the project. These existing features include a large number of mature trees that surround the project site. These trees intercept the rain and their roots take in the water that soaks into the ground.

The project would incorporate source control and runoff reduction measures or low impact development measures for the treatment of stormwater quality on-site. The project would comply with the site planning source control principles found in the *Stormwater Quality Design Manual for the Sacramento and South Placer Regions* for loading, outdoor storage, and waste management areas. These areas would be isolated and/or covered to minimize the potential of any pollutants to leave the project site. In addition to these measures, appropriate runoff reduction measures would be integrated into the project. Within the East/West Promenade and the North/South Promenade, the project would employ low impact development measures such as pervious pavers, disconnected pavement, disconnected roof drains, and interceptor trees.

ELECTRIC AND GAS UTILITIES

Electric—Sacramento Municipal Utility District

The Sacramento Municipal Utility District (SMUD) supplies electrical service to the project site and the surrounding area. The existing development is served by SMUD's underground electric transmission lines. This existing system consists of multiple circuits and interconnects with several substations located nearby. Substation A is located at 6th and H Streets, Substation B is located at O and 19th Streets, and Substation D is located at R and 8th Streets. These substations supply 21- and 12-kilovolt circuits to the project site.

This redundant network is adequate to serve the additional demand generated by the proposed project. SMUD would use these existing facilities to supply the necessary service to the project site. On-site, the project would include relocation of some existing electrical infrastructure and installation of new pad-mounted transformers and electrical vaults to serve the new buildings.

Natural Gas—Pacific Gas and Electric Company

Pacific Gas and Electric Company (PG&E) supplies natural gas service to the project site and surrounding area. The existing development is served by a grid system of high-pressure natural gas pipelines that range in size from 4 inches to 12 inches in diameter. There is also a secondary low-pressure system that consists of primarily 2-inch and 4-inch lines.

According to PG&E, this grid network of gas lines is sufficient to serve the increased demand for natural gas generated by the proposed project. The existing on-site gas lines would be removed and realigned to serve the new buildings. In addition, PG&E would install new distribution gas lines onsite to serve the new buildings. A 4-inch-diameter high-pressure gas line would run through the project site beneath the North/South Promenade.

2.5.8 ENERGY CONSERVATION FEATURES AND SUSTAINABILITY

As proposed, Sacramento Commons has several inherent greenhouse gas reduction and other sustainability features that would contribute to lower vehicle use, vehicle miles traveled, energy use, and water consumption, including:

- ▶ its location in downtown Sacramento, within one-quarter mile of bus and light rail transit; proximity to freeways and Amtrak rail service; and walkable and bikeable street grid near jobs, services, parks/open space, and other downtown destinations;
- ▶ the addition of a significant number of housing units (proposed net gain of approximately 1,000–1,100 units) in an area of the Central City with a deficit of such housing relative to jobs;
- ▶ on-site neighborhood support retail and service uses for the convenience of Sacramento Commons residents and guests;
- ▶ protection and incorporation of as many existing Heritage Trees and City Street Trees in place as feasible and planting of additional trees to maintain Sacramento's robust urban forest;

- ▶ creation of the North/South and East/West Promenades by improving and reconfiguring project site walkways, with accompanying landscaping and open space to meet the City’s vision for high-quality public urban spaces that provide stormwater management benefits;
- ▶ lower per-unit energy and water use than a similar number of dwelling units in a lower density suburban setting; and
- ▶ a variety of housing types meeting the needs of a broad segment of the population.

New buildings constructed in Sacramento Commons would exceed the 2008 Title 24 Building Energy Efficiency Standards by at least 15% or comply with current City standards and minimum CalGreen Building Code Tier 1 Water Efficiency Standards.

The proposed project would include water-efficient fixtures and appliances; energy-efficient building materials and resources; low-volatile organic compound paints and adhesives; and other industry-standard best practices for building design, construction, and operation. Inclusion of these elements may qualify the project to meet the criteria of green rating systems such as Leadership in Energy & Environmental Design (i.e., LEED), GreenPoint, Enterprise Green, or equivalent, as required by the *Sacramento Central City Urban Design Guidelines*.

2.6 PLANNED UNIT DEVELOPMENT GUIDELINES

The proposed project includes PUD Guidelines that establish the development framework and design guidance for the land use, circulation, infrastructure, community design, architecture, landscaping, open space, and other components of the project that would establish the design framework for Sacramento Commons. The PUD Guidelines include as objectives the promotion of high-quality design and development of Sacramento Commons, while permitting flexibility for innovative design solutions, site-specific standards to ensure preservation of existing site resources to the extent feasible, compatibility with the surrounding area context, and a cohesive development vision. (AECOM 2014:8.)

The PUD Guidelines provide information on the size, timing, and sequence of project development; establish the framework for future development; and identify the process to evaluate, review, and approve future applications within Sacramento Commons. The PUD Guidelines supplement and, where noted, replace zoning and development standards set forth for the project site in the City’s Planning and Development Code and the *Sacramento Central City Urban Design Guidelines*. Variations from PUD requirements may be considered during the City’s site plan and design review process for specific phases of Sacramento Commons.

2.7 CONSTRUCTION

The existing 206-unit garden apartments would be demolished to accommodate the proposed project, along with an associated parking structure, parking lots, and landscaped areas. The existing Capitol Towers building would remain. All construction staging areas would be located on the project site. Demolition materials would be collected on-site and routed to the appropriate recycling facility for the City of Sacramento, as feasible.

2.8 PROJECT PHASING

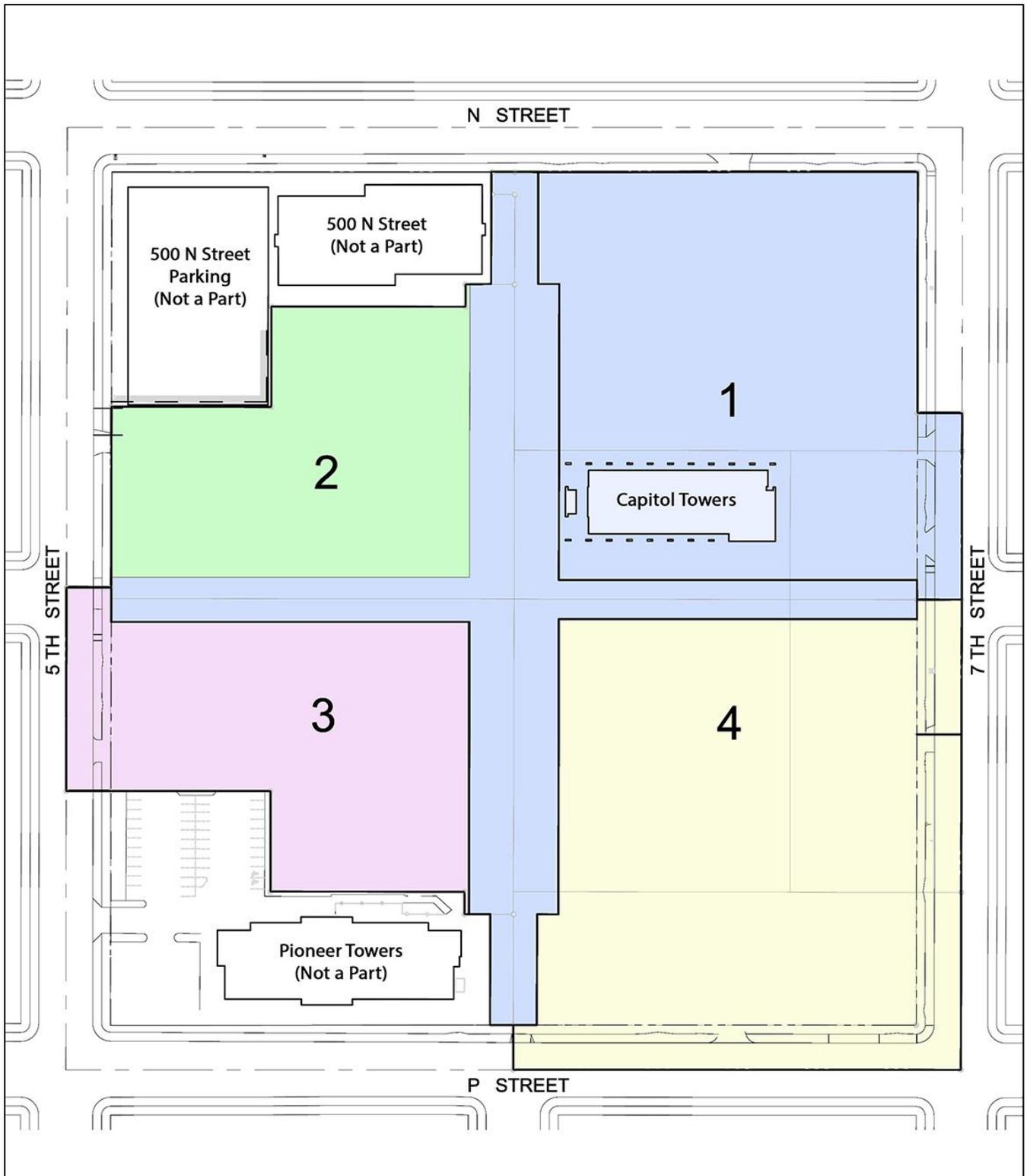
The project applicant anticipates that construction of the proposed project would occur in four phases. Figure 2-5 illustrates the phasing sequence for the project. Construction is anticipated to occur from fall 2015 through fall 2021.

- ▶ *Phase 1* would include construction of backbone infrastructure and demolition of the existing garden apartments on Parcel 3 and the promenade areas. This phase would include construction of the high-rise hotel/condominium building and parking structure on Parcel 3, renovation of the existing Capitol Towers building on Parcel 4A, and construction of the mid-rise residential building on Parcel 4B. Phase 1 would extend from October 2015 through August 2017.
- ▶ *Phase 2* would include demolition of the existing garden apartments on Parcel 2B, followed by construction of the mid-rise structure and parking on Parcel 2B. Phase 2 would extend from March 2016 through October 2018.
- ▶ *Phase 3* would include demolition of the existing garden apartments on Parcel 2A, followed by construction of the mid-rise structure and parking on Parcel 2A. Phase 3 would extend from February 2017 through October 2019.
- ▶ *Phase 4* would include demolition of the existing garden apartments on Parcel 1, followed by construction of high-rise buildings and parking structures. Phase 4 would extend from February 2017 through October 2021.

2.9 APPROVALS

The following approvals would be required from the City of Sacramento before the start of construction:

- ▶ Environmental impact report (EIR) and mitigation monitoring and reporting plan
- ▶ Development agreement
- ▶ PUD establishment to establish PUD Guidelines and a schematic plan for the Sacramento Commons PUD
- ▶ Rezoning of the property from High-Rise Residential Zone (R-5) to High-Rise Zone within the Sacramento Commons PUD (R-5-PUD)
- ▶ Tentative map to subdivide three parcels (total of 11.17 acres) into six parcels
- ▶ Demolition permit for the 206 two- and three-story garden apartments
- ▶ Site plan and design review for the proposed tentative map
- ▶ Water supply assessment
- ▶ City of Sacramento Tree Permit



Notes:

¹ Project phases may overlap.

Source: Data provided by Van Turg, Banvard & Soderbergh, AIA, and adapted by AECOM in 2014

Figure 2-5

Phasing Sequence Diagram¹

Other public agencies whose approval would be required include:

- ▶ Sacramento Metropolitan Air Quality Management District (SMAQMD)—issues the Authority to Construct/Permit to Operate pursuant to SMAQMD Regulation 2 (Rule 201 et seq.)
- ▶ State Water Resources Control Board/Central Valley Regional Water Quality Control Board—issues Construction Storm Water Discharge Permits
- ▶ Federal Aviation Administration—reviews plans for buildings exceeding 200 feet in height

2.10 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

Development on the project site is governed by the *Sacramento 2030 General Plan*. The 2030 General Plan designates the project site as Central Business District (CBD); the 2030 General Plan Master EIR (State Clearinghouse [SCH] No. 2007072024), certified on March 3, 2009, evaluated potential impacts of development within the CBD. For purposes of planning and environmental analysis, the 2030 General Plan Master EIR assumed that buildout of the CBD would include 12,695 attached residential units, 822,800 square feet of retail space, and 2,614,512 square feet of office space (2030 General Plan Master EIR Appendix C, “Air Quality Model Outputs,” Table 2-1).

Development within the project area was assumed as part of the SACOG MTP/SCS and analyzed as part of the cumulative conditions assumed in the MTP/SCS EIR (SCH No. 2011012081), certified April 19, 2012.

2.11 TRANSIT PRIORITY PROJECTS

2.11.1 SUMMARY OF CRITERIA

A transit priority project must be consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in either a SCS or alternative planning strategy for which the California Air Resources Board has accepted a metropolitan planning organization’s determination that the SCS or alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets (PRC Section 21155[a]).

In addition, in accordance with PRC Section 21155(b), a TPP must:

- ▶ contain at least 50% residential use based on total building square footage,
- ▶ have a minimum net density of 20 dwelling units per acre, and
- ▶ be located within one-half mile of a major transit stop or high-quality transit corridor included in the regional transportation plan.

As demonstrated in the discussions below, the proposed project is a qualified TPP pursuant to the requirements of PRC Section 21155.

2.11.2 CONSISTENCY WITH THE METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

As discussed further below, the proposed project is consistent with the general land use designation, density, building intensity, and applicable policies specified for the project area in the MTP/SCS.

The MTP/SCS was adopted April 19, 2012, by Resolution No. 14-2012 of the SACOG Board of Directors. On June 12, 2012, the California Air Resources Board, by Executive Order No. G-12-044, accepted SACOG's determination that implementation of the MTP/SCS would achieve the greenhouse gas emission reduction targets. Neither decision was judicially challenged.

The MTP/SCS identifies the project site as being located within both the Center and Corridor Communities and the Sacramento transit priority areas (TPAs), as discussed below.

CENTER AND CORRIDOR COMMUNITIES

Land uses in Center and Corridor Communities are typically higher density and more mixed than surrounding land uses. Center and Corridor Communities are identified in local plans as historic downtowns, main streets, commercial corridors, rail station areas, central business districts, town centers, or other high-density destinations. They typically have more compact development patterns, a greater mix of uses, and a wider variety of transportation infrastructure than the rest of the region. Some have frequent transit service, either bus or rail, and all have pedestrian and bicycling infrastructure that is more supportive of walking and bicycling than other community types.

SACRAMENTO TRANSIT PRIORITY AREAS

The Sacramento TPAs cover several types of transit routes, including areas within one-half mile of qualifying transit routes and light rail station areas in the cities of Folsom, Rancho Cordova, and Sacramento and unincorporated Sacramento County. The MTP/SCS allocates 30% of projected regional housing and employment demand to the Sacramento TPAs. New housing in the Sacramento TPAs averages 31 dwelling units per net acre; of these new dwelling units, 75% are in attached housing product types.

SACOG has determined that the policies of the MTP/SCS are general in nature and integrated into the metrics, growth forecasts, and land use modeling for which project consistency is demonstrated above. There are no additional policies specifically applicable to this project or project area.

2.11.3 LAND USE

To qualify as a TPP, the project must contain at least 50% residential use, based on total building square footage. If the project contains between 26% and 50% nonresidential uses, a FAR of not less than 0.75 is required (PRC Section 21155[b][1]).

The proposed project would include a minimum of approximately 1,316,300 square feet of multifamily residential and live/work uses and a minimum of approximately 209,100 square feet of neighborhood support/retail space and hotel development under the Hotel Scenario. Residential uses are 86% of the total (1,316,300 square feet ÷ 1,525,400 square feet).

2.11.4 DENSITY

To be a TPP, the project must provide a minimum net density of at least 20 du/ac (PRC Section 21155[b][2]).

The proposed residential density of the project is approximately 140–150 du/ac.

2.11.5 PROXIMITY TO TRANSIT

TPPs must be located within a TPA studied within the MTP/SCS; no more than 25% of the project area can be farther than one-half mile from the major transit stop or high-quality transit corridor; and no more than 10% of the residential units or 100 units (whichever is less) can be farther than one-half mile from the stop or corridor (PRC Section 21155[b][3]).

The project site is within the Sacramento TPA studied in the MTP/SCS. The project site is located within one-half mile of the 8th & O Light Rail Station, a split light rail station on the Sacramento Regional Transit District's Blue and Gold Lines. The station is located at the intersection of 8th and O Streets, with the split platforms located on each side of 8th Street where the line splits into one-way couplets. The project is located within a high-quality transit corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours. Sacramento Regional Transit bus routes within one-half mile of the project site include regular routes 2, 6, 15, 34, 38, and 51 and peak-only routes 3, 7, 29, and 109.

2.11.6 MITIGATION MEASURES

To qualify for specified CEQA streamlining benefits established by Senate Bill 375, a TPP must incorporate all feasible mitigation measures, performance standards, or criteria set forth in prior applicable EIRs including the MTP/SCS Program EIR (PRC Section 21155.2[a]).

The following EIRs have been determined by the City to be applicable to the proposed project for the purposes of this analysis because they contain relevant site-specific or project-specific analysis:

- ▶ Sacramento 2030 General Plan Master EIR (SCH No. 2007072024), certified on March 3, 2009
- ▶ MTP/SCS Program EIR (SCH No. 2011012081), certified April 19, 2012

Applicable mitigation measures from the 2030 General Plan Master EIR and MTP/SCS Program EIR are identified and discussed in Chapter 3 of this initial study. Furthermore, on June 4, 2014, the City of Sacramento received a letter from SACOG explaining that SACOG concurs with the City's conclusion that the project is consistent with SACOG's MTP/SCS. The letter from SACOG is included in this initial study as Appendix B.

2.11.7 SPECIAL REVIEW OF HOUSING PROJECTS

As a TPP, the proposed project qualifies for the residential streamlining provisions described in PRC Section 21159.28. Specifically, pursuant to PRC Section 21159.28, this initial study and the EIR to be prepared for the proposed project are not required to reference, describe, or discuss growth-inducing

impacts or any project-specific or cumulative impacts on global warming or the regional transportation network from automobile and light-duty truck trips generated by the project. Under PRC Section 21099(d), aesthetics and parking impacts are not considered significant impacts on the environment for residential, mixed-use, or employment center projects on infill sites within TPAs.

2.12 PROJECT ASSUMPTIONS

This initial study assumes, and the conditions of approval for the project will require, compliance with all applicable federal, state, and local codes and regulations.

3 ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION		
1. Project Title:	Sacramento Commons (P14-012) (State Clearinghouse No. 2014042032)	
2. Lead Agency Name and Address:	City of Sacramento Community Development Department 300 Richards Boulevard, 3rd Floor Sacramento, CA 95811	
3. Contact Person and Phone Number:	Scott Johnson, Associate Planner, (916) 808-5842, srjohnson@cityofsacramento.org	
4. Project Location:	The project site is located in the City of Sacramento's Central Business District and is generally bounded by 5th, 7th, N, and P Streets, consisting of and consists of Assessor's Parcel Numbers (APNs) 006-0300-002, 006-0300-003, and 006-0300-004.	
5. Project Sponsor's Name and Address:	Kennedy Wilson 18401 Von Karman Avenue, Suite 350 Irvine, CA 92612	
6. General Plan Designation:	Central Business District (CBD)	
7. Zoning:	High-Rise Residential Zone (R-5 Zone)	
8. Description of Project:	Please refer to Chapter 2, "Project Description."	
9. Surrounding Land Uses and Setting:	Please refer to Chapter 2, "Project Description."	
10. Other public agencies whose approval is required:	<ul style="list-style-type: none"> • Sacramento Metropolitan Air Quality Management District (SMAQMD)—issues the Authority to Construct/Permit to Operate pursuant to SMAQMD Regulation 2 (Rule 201 et seq.) • State Water Resources Control Board/Central Valley Regional Water Quality Control Board—issues Construction Storm Water Discharge Permits • Federal Aviation Administration—reviews plans for buildings exceeding 200 feet in height 	
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:		
The environmental factors checked below would be potentially affected by this project.		
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input checked="" type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input checked="" type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Public Services	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input checked="" type="checkbox"/> Utilities/Service Systems	<input checked="" type="checkbox"/> Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Scott Johnson

Associate Planner

Printed Name

Title

City of Sacramento

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
the significance criteria or threshold, if any, used to evaluate each question; and
the mitigation measure identified, if any, to reduce the impact to less than significance.

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3.1 AESTHETICS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.1.1 ENVIRONMENTAL SETTING

PROJECT SITE

The project site is located in Sacramento’s Central Business District and is surrounded by a mix of residential, commercial, and office buildings. Many of these buildings are mid-rise and high-rise structures. The project site encompasses approximately 10 acres on portions of four blocks in downtown Sacramento. The site is currently developed with a residential rental property containing 409 units, approximately 4,122 square feet of neighborhood-serving retail and commercial space, recreational amenities (including a swimming pool), laundry facilities, a three-level parking structure containing 200 parking spaces, and 190 surface parking spaces. The 409 units consist of 206 two- and three-story garden apartments and 203 units in the 15-story Capitol Towers building.

The project site is generally flat; elevations range from approximately 15 to 20 feet above mean sea level as one travels from the northeast corner to the southwest corner of the project site. Tree cover and landscaping is distributed throughout the site.

The project site includes Heritage Trees and a variety of other medium and large trees. City Street Trees dominate the landscaping features surrounding the project site. Grass and shrubs dominate the landscaping features at ground level. The tree canopy on the project site provides shading of the existing two- and three-story apartments and walkways. Trees also obscure views of project site buildings from off-site locations. The central portion of the site consists of Capitol Towers, which dominates vertical views above the tree line. A four-level parking garage (three levels above ground) dominates views at the eastern edge of the project site, and a swimming pool with adjacent clubhouse dominates views in the central portion of the site. Adjacent to the swimming pool, an eight-panel set of concrete relief art pieces, produced by Jacques Overhoff, is installed on the wall facing west toward the property’s central plaza.

The landscape design illustrates some aspects of contemporary landscape architecture that take into account pedestrian uses, recreational facilities, and features that complement adjacent buildings. The design retains some formal elements of traditional Beaux-Arts design with hierarchical axes, but modestly includes components that incorporate and represent newer trends in landscape design of the mid-20th century. These elements include the design's site-focused layout, informality, and human-scale features. Specific elements include the patterned concrete plaza with neatly arranged trees and a small fountain, the axial pedestrian plan, and smaller organized garden areas in various courtyards.

The Capitol Towers high-rise building dominates the central portion of the project site because of its vertical height (15 stories) and overall mass. The building is rectangular, with equally shaped and sized patios extending outward from each level. Each floor of the building exhibits the same architectural design with the exception of the top floor. The top floor differs from the rest of the building by extending a few feet farther outward on the south and north sides and includes a complete wraparound patio.

Views on the remainder of the project site are dominated by two- and three-story garden apartment buildings. Eight buildings are arranged in pairs in the four quadrants of the project site (southeast, west-southwest, west-northwest, and northeast) around a central open space or parking area. The buildings reflect the dominant architectural style from the late 1950s through early 1970s with flat, overhanging roofs; partially recessed patios for each apartment; and an overall square-checkerboard appearance to the buildings (i.e., equal portions of façades are recessed or extended at equal intervals). This staggered layout of the garden apartment buildings was designed to avoid uniformity and monotony. The site design segregates vehicles and pedestrians, as garage courts face outward and condominiums face inward toward communal landscaped areas.

AREA ADJACENT TO THE PROJECT SITE

Sharing the four-block project area, but not a part of the project site, are the separately owned 15-story 500 N Street condominium tower and the 12-story Pioneer Towers senior apartments. Surrounding land uses include federal and state offices to the north, west, and east. Two multifamily properties (Governor's Square and Pioneer House) are located at the southeast and northwest corners of 5th and P Streets, respectively.

The land surrounding the project site consists of urban development, primarily office buildings and multifamily residential developments. A multifamily residential development is located south of the project site across P Street. A residential tower is located to the west across 5th Street. Office buildings occupy the remaining adjacent sites located across 5th Street, 7th Street, and N Street. In addition, the State of California Central Plant (which heats and cools state buildings) is located to the south across P Street. The general character of the surrounding area is described below. East of the project site across 7th Street is the historic Heilbron House, which is surrounded by surface parking.

Distant views of the project site are limited because of the relatively flat topography of downtown Sacramento and the elevated features such as multistory buildings and mature trees. Views of the project site are available mostly to people in the immediate vicinity of the project site, including travelers and pedestrians along adjacent roads (N Street, P Street, 5th Street, and 7th Street) and some residents of the 500 N Street condominium tower and Pioneer Towers. More distant views of the site are not available because multistory buildings and street trees block views. However, distant views of

the site from U.S. Highway 50 (U.S. 50), located south of the project site, are available because U.S. 50 is elevated. Distant views from other major highways, Interstate 5 and State Route 99, are not available because State Route 99 is too distant and Interstate 5 is located at an elevation below the project site.

During the summer months, tree foliage blocks many horizontal and vertical views of the project site from street level. Although prominent view locations are limited during the summer months, additional prominent views would be available from street level during the winter months when less foliage is on the trees. Because street trees and human-made structures block most middle-ground and all background views from these viewpoint locations, the following descriptions focus primarily on the foreground and include the middle ground when viewable.

These viewpoints are located along walkways across the project site at the north, east, south, and west sides of the project site looking toward the center point of the site. Foreground views are dominated by landscape (trees, shrubbery, and grass) and hardscape (walkways). The walkways extend across the center of the project site and provide straight, direct access from north to south and from east to west. Full-grown, mature trees overhang and provide shade along the walkways. Landscaping features grow underneath trees and between residential buildings and alongside walkways. Views along the eastern walkway are dominated by the Capitol Towers building on the north and the swimming pool and clubhouse on the south.

Appendix C of this initial study shows 32 views of the project site and its surroundings from various perspectives along 5th, 7th, N, and P Streets.

3.1.2 DISCUSSION OF AESTHETIC IMPACT ISSUES

Recent legislation has affected the analysis of aesthetic impacts for infill development. California Public Resources Code (PRC) Section 21099(d) provides that aesthetic impacts of a qualifying project shall not be considered significant effects on the environment. The proposed project qualifies as a residential or mixed-use project in an infill area that is located in a transit priority area. (See PRC Sections 21099[a] and 21099[d].) Therefore, the discussion of aesthetics issues is included in this initial study for public information purposes only. Because aesthetic impacts are not as a matter of law considered potentially significant impacts of the proposed project, this section is formatted differently than other sections of this document.

Under this project, the project site would be redeveloped with new, higher density urban uses, including multifamily residential uses, commercial/retail space that would serve the local community, parking garages, and potentially a hotel. Development of the project site would change the site's appearance as seen from nearby areas, but the project site is urban and is surrounded by existing urban development. The most prominent visual change would occur above the tree line, because the proposed project would remove existing garden apartments and the existing parking structure and add three new mid-rise buildings, three new high-rise buildings, and parking structures. The heights of the new mid-rise and high-rise buildings would not be hidden by surrounding buildings and could be viewed from distant and nearby locations. The visual changes would be most noticeable to existing residents of Capitol Towers, the condominiums at 500 N Street, and Pioneer Towers, particularly for some residents living on lower floors.

Most of the existing landscaping would be replaced with new landscaping except that some City Street Trees (regulated under Section 12.56.60 of the Sacramento City Code) and some Heritage Trees (regulated under Chapter 12.64 of the City Code) would remain (discussed further below). The new landscaping would include wide walkways (a north-south promenade and an east-west promenade), a plaza at the southeast corner of the project site, replacement of existing surface parking with landscaped areas, and other landscape improvements.

The project site currently has 50 trees that meet the City's definition of either a City Street Tree or a Heritage Tree: 39 City Street Trees located along the perimeter of the project site and 11 trees that meet the minimum size criterion for a Heritage Tree. The proposed project would remove up to four Heritage Trees for construction, and up to an additional six Heritage Trees depending on the final locations of buildings. Four City Street Trees would be removed to facilitate site access or utility installation. Protection of most existing trees would provide for a mature, vegetated "frame" around the new community and result in minor changes to the existing visual environment. In addition, a feature of the project would be to place new canopy trees in planted tree wells.

The project site generates nighttime lighting and daytime glare from windows on the Capitol Towers building. The proposed project would replace existing garden apartments with new mid-rise and high-rise buildings with the potential to increase glare. New lighting fixtures (interior and exterior) would be installed that could increase the amount of nighttime lighting on the project site. Most of the increase in nighttime lighting would originate from within and around the new buildings and from outdoor lighting along the exterior of buildings, as part of landscaping features, and along walkways.

The use of glass and other reflective materials on buildings could cause daytime glare. Specifically, increased daytime glare could originate from exterior glass that could be used to construct new mid-rise and high-rise buildings.

Specific design details of the proposed project are still to be determined. However, the project's design requires site plan and design review (Section 17.808 of the Planning and Development Code) and compliance with applicable design policies included in the *Sacramento Central City Urban Design Guidelines*. The *Sacramento Central City Urban Design Guidelines* address potential aesthetic effects of the project related to architecture, scale, and materials by requiring transitions in scale, design, and placement of buildings in a manner that engages the street; landscaping and small public open spaces; integration of parking and buildings; interconnected internal circulation for vehicles, pedestrians, and bicycles; and planting of street trees that provide shade and enhance character and identity, among other requirements. Consistency with the City's development standards and design guidelines is intended to ensure that all development in the Central Business District and surrounding areas contributes to making the Central Business District a unique and special place.

The project as proposed would change the existing visual environment in ways that would affect residents of Capitol Towers, residents of 500 N Street and Pioneer Towers, and other members of the public who live, work, or travel by the project site. However, "[a]esthetic... impacts of residential, mixed-use residential, or employment center project[s] on an infill site[s] within a transit priority area shall not be considered significant impacts on the environment" (PRC Section 21099[d]). Therefore, the State of California has determined that transit priority projects such as Sacramento Commons do not create significant aesthetic impacts.

3.2 AGRICULTURE AND FORESTRY RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forestry Resources. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.2.1 ENVIRONMENTAL SETTING

The project site encompasses approximately 10 acres on portions of four blocks in downtown Sacramento. The project site is developed with a residential rental property, recreational amenities (including a swimming pool), laundry facilities, various landscaped areas, and a three-level parking structure. The project site currently has 50 trees that meet the City’s definition of either a City Street Tree or a Heritage Tree: 39 City Street Trees located along the perimeter of the project site and 11 trees that meet the minimum size criterion for a Heritage Tree. The proposed project would remove up to four Heritage Trees for construction, and up to an additional six Heritage Trees depending on the final locations of buildings. An additional four City Street Trees would be removed to facilitate site access or utility installation. The remaining existing City Street Trees would be protected in place (as feasible), providing a mature, vegetated “frame” around the new community.

The project site does not contain soils designated as Important Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The site is not zoned for agricultural uses, and there are no Williamson Act contracts that affect the project site. No existing agricultural or timber-harvest uses are located on or near the project site.

3.2.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**
- b) **Conflict with existing zoning for agricultural use or a Williamson Act contract?**
- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**
- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**
- e) **Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts on agriculture and forestry resources were analyzed in Impacts 6.2-1 through 6.2-5 of the 2030 General Plan Master EIR. These impacts were found to be mitigated to a less-than-significant level, assuming implementation of 2030 General Plan Policies ER 4.1.2, ER 4.2.1, ER 4.2.2, ER 4.2.3, ER 4.2.4, and ER 4.2.5. However, 2030 General Plan Policies ER 4.1.2, ER 4.2.1, ER 4.2.2, ER 4.2.3, ER 4.2.4, and ER 4.2.5 are not applicable to the proposed project because no agricultural or forestry resources are located on or adjacent to the project site.

Construction and operational impacts on agriculture and forestry resources were analyzed in Impacts AG-1 through AG-6 of the MTP/SCS Program EIR. These impacts were mitigated to the extent feasible, assuming implementation of MTP/SCS Program EIR Mitigation Measures AG-1 through AG-7. However, MTP/SCS Program EIR Mitigation Measures AG-1 through AG-7 are not applicable to the proposed project because no agricultural or forestry resources are located on or adjacent to the project site.

There are no mitigation measures, performance standards, or criteria from the 2030 General Plan EIR or the MTP/SCS Program EIR related to agriculture and forestry resources that would apply to the proposed project.

Conclusions

No agricultural or forestry resources are located on or adjacent to the project site. Therefore, implementation of the project would result in **no impact** on agriculture or forest land. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to agriculture and forestry resources.

3.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations.				
Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Result in construction emissions of NO _x above 85 pounds per day?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Result in PM ₁₀ concentrations equal to or greater than 5% of the state ambient air quality standard (i.e., 50 micrograms per cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard? (However, if project emissions of NO _x and ROG are below the emission thresholds given above, then the project would not result in violations of the PM ₁₀ ambient air quality standards.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 parts per million [ppm]) or the 8-hour state ambient standard (i.e., 9.0 ppm)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G) Result in TAC exposures that would create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.3.1 ENVIRONMENTAL SETTING

Air quality is defined by the concentration of pollutants related to human health. Concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and by the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions in the local air basin are influenced by such natural factors as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources.

Climate, topography, and meteorology influence regional and local ambient air quality. The project site is located in Sacramento County, which is part of the Sacramento Valley Air Basin (SVAB). The SVAB encompasses Butte, Colusa, Glenn, Tehama, Shasta, Yolo, Sacramento, Yuba, and Sutter Counties and parts of Placer, El Dorado, and Solano Counties. The SVAB is bounded on the north and west by the Coast Ranges, on the east by the southern portion of the Cascade Range and the northern portion of the Sierra Nevada, and on the south by the San Joaquin Valley Air Basin. Summer conditions are typically characterized by high temperatures and low humidity. Rainstorms occur occasionally during winter, and are interspersed by stagnant and sometimes foggy weather. Rain falls mainly from late October to early May, in amounts that vary substantially each year.

CRITERIA AIR POLLUTANTS

The U.S. Environmental Protection Agency and the California Air Resources Board (ARB) have identified six air pollutants as being of nationwide and statewide concern: ozone, carbon monoxide (CO), nitrogen dioxide, sulfur dioxide, lead, and particulate matter (PM). PM is subdivided into two classes based on particle size: PM measuring 10 micrometers in diameter or less (PM₁₀) and PM measuring 2.5 micrometers in diameter or less (PM_{2.5}). Because the ambient air quality standards for these air pollutants are regulated using human health and environmentally based criteria, they are commonly referred to as "criteria air pollutants."

ODORS

Odors are generally regarded as an annoyance rather than a health hazard (SMAQMD 2013). However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). Quality and intensity are two properties present in any odor. The *quality* of an odor indicates the nature of the smell experience. *Intensity* refers to the strength of the odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

3.3.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

a) Conflict with or obstruct implementation of the applicable air quality plan?²

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR concluded that the 2030 General Plan promotes the goals of the regional air quality plans (i.e., attainment of federal and state ozone standards). Construction and operational impacts associated with implementation of applicable air quality plans were analyzed in Impact 6.1-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.1-1 was based on the promotion of "smart growth" principles for future development. Because the 2030 General Plan describes a more compact growth pattern for the city, emphasizing infill development and reuse of underused properties, it would reduce the need for private automobile use and facilitate alternative transportation modes. As a result, the 2030 General Plan Master EIR determined that implementing the 2030 General Plan would result in a decrease in fuel consumption, along with a consequent decline in air pollutant emissions. Therefore, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Construction and operational impacts associated with implementation of applicable air quality plans were analyzed in Impact AIR-1 of the MTP/SCS Program EIR. The MTP/SCS would have a significant air quality impact if the projected emissions of nonattainment and maintenance air pollutants would conflict with or obstruct implementation of attainment plans. The MTP/SCS Program EIR evaluated how the MTP/SCS is consistent with existing air quality attainment plans. Conformity analyzes the impacts of land use and transportation in combination at the regional level. The forecasted emissions for ozone, CO, PM₁₀, and PM_{2.5} were found to be within the conformity budgets and/or to pass all emission tests for all milestone years. The MTP/SCS Program EIR stated that the MTP/SCS accommodates expected population growth and the accompanying demand for transportation in the region through a multimodal approach. Therefore, the MTP/SCS Program EIR concluded that the impact would be less than significant.

² This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question C.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

b) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**³

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction impacts associated with violation of any air quality standards were analyzed in Impacts 6.1-2 and 6.1-4 of the 2030 General Plan Master EIR. Impact 6.1-2 states that total construction-related emissions of oxides of nitrogen (NO_x) in the 2030 General Plan area would "be virtually certain to exceed the threshold on most days." The 2030 General Plan Master EIR refers to standard mitigation measures required by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and indicates that compliance with these measures by individual projects could mitigate construction emissions to a less-than-significant level. However, the analysis in the 2030 General Plan Master EIR concluded that simultaneous construction of multiple projects within the 2030 General Plan area could potentially occur and could still exceed the threshold.

Impacts of construction-related emissions were analyzed in Impact AIR-5a of the MTP/SCS Program EIR. The analysis indicated that detailed phasing and construction information could not be determined at the regional level of the MTP/SCS. Impact AIR-5a stated that simultaneous construction of multiple sites could occur within the nonattainment areas, and that construction-related emissions could exceed applicable air district thresholds. Therefore, the MTP/SCS Program EIR requires Mitigation Measure AIR-4, which states that "implementing agencies should require project applicants to implement applicable, or equivalent, standard construction mitigation measures." Projects that exceed these thresholds of significance for short-term emissions of criteria air pollutants shall mitigate the air quality impacts using all feasible mitigation.

Operational impacts associated with violation of any air quality standards were analyzed in Impacts 6.1-3 and 6.1-5 of the 2030 General Plan Master EIR. Policy ER 6.1.3 requires development projects that result in substantial air quality impacts (i.e., exceed SMAQMD's operational thresholds for reactive organic gases [ROG] and NO_x) to incorporate design or operational features that result in at least a 15% reduction in emissions. In addition, Policies ER 6.1.2 and ER 6.1.11 would ensure that projects incorporate feasible mitigation measures if not already provided for through project design. Even with the policies in the 2030 General Plan, the net emissions of ozone precursors from all land uses in the area would exceed SMAQMD's thresholds of significance.

Operational impacts were analyzed in Impact AIR-2 of the MTP/SCS Program EIR. Impact AIR-2 stated that the MTP/SCS provides the foundation for future development and transportation patterns, and that land use changes resulting from the MTP/SCS will increase the number of emission sources in the

³ This environmental issue addresses the questions set forth in City of Sacramento Environmental Checklist Questions A, B, D, and E.

region. However, long-term emissions at the regional level are also a function of design at the project level. Emissions from individual projects would include area sources, stationary sources, and mobile sources. The MTP/SCS EIR estimated that mobile sources of criteria air pollutants will decrease over the planning period as a result of a variety of factors, including vehicle technology, cleaner fuels, fleet turnover, and a more efficient land use/transportation system. Mitigation Measure AIR-1, which requires air quality modeling for individual land use projects, was recommended by the MTP/SCS Program EIR.

Therefore, both the 2030 General Plan Master EIR and the MTP/SCS Program EIR concluded that implementation of the plans may result in significant and unavoidable impacts with respect to potential violations of air quality standards.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure AIR-4: Implementing Agencies Should Require Project Applicants to Implement Applicable, or Equivalent, Standard Construction Mitigation Measures.

Lead agencies should require project applicants, prior to construction, to implement construction mitigation measures that, at a minimum, meet the requirements of the applicable air district with jurisdiction over the area in which construction activity would occur if the project is anticipated to exceed thresholds of significance for short-term criteria air pollutant emissions. Projects that exceed these thresholds shall mitigate the air quality impacts using all feasible mitigation. For construction activity on the project site that is anticipated to exceed thresholds of significance, the project applicant(s) shall require construction contractors to implement both Standard Mitigation Measures and Best Available Mitigation Measures for Construction Activity to reduce emissions to the maximum extent feasible for all construction activity performed in the plan area.

Conclusions

The MTP/SCS Program EIR concluded that implementation of Mitigation Measures AIR-1 and AIR-4 would reduce this impact to a less-than-significant level.⁴ However, the 2030 General Plan Master EIR concluded that this impact would be potentially significant and unavoidable. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

⁴ Mitigation Measure AIR-1 is not listed above as a mitigation measure to be required for the proposed project because Mitigation Measure AIR-1 requires air quality modeling for individual land use projects. This mitigation measure will be satisfied through preparation of the EIR, which will include project-specific air quality modeling.

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction Impacts

Cumulative impacts associated with construction-related emissions were analyzed in Impacts 6.1-7 and 6.1-9 of the 2030 General Plan Master EIR. Consistent with the discussion for Impacts 6.1-1 and 6.1-3, construction emissions from large or concurrent projects could exceed the thresholds of significance. The 2030 General Plan Master EIR concluded that the 2030 General Plan would result in a considerable contribution to the cumulative impact. The impact would be significant and unavoidable.

Cumulative impacts associated with construction and operational emissions were analyzed in Impact CUM-3 of the MTP/SCS Program EIR. The analysis in the MTP/SCS Program EIR indicated that regional and localized air quality impacts during construction would result in a significant cumulative impact from air emissions adversely affecting a number of air basins. The MTP/SCS Program EIR concluded that this impact would be significant and unavoidable.

Operational Impacts

Cumulative operational impacts were analyzed in Impact 6.1-8 of the 2030 General Plan Master EIR. Because the 2030 General Plan results in changes to land use designations and an increase in criteria pollutant emissions, the 2030 General Plan Master EIR concluded that the emissions associated with the development projects in the 2030 General Plan would be cumulatively significant. Compliance with Policies ER 6.1.2, ER 6.1.3, and ER 6.1.11 would reduce emissions of criteria pollutants, but the emissions associated with operation of the land uses would be greater than those assumed in the regional air quality plan. The 2030 General Plan Master EIR concluded that the cumulative impact from long-term operational emissions of ozone precursors would be significant and unavoidable.

Cumulative impacts associated with construction and operational emissions were analyzed in Impact CUM-3 of the MTP/SCS Program EIR. The analysis in the MTP/SCS Program EIR indicated that regional and localized air quality impacts during operation would result in a significant cumulative impact from air emissions adversely affecting a number of air basins. The MTP/SCS Program EIR concluded that this impact would be significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure CUM-3: Implement Mitigation Measures AIR-1 through AIR-4.

See discussion of Mitigation Measures AIR-1 through AIR-4 included in this section of the initial study.

Conclusions

The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure CUM-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

d) Expose sensitive receptors to substantial pollutant concentrations?⁵

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction Impacts

The 2030 General Plan Master EIR identified no impacts in this category.

Impacts associated with construction-related emissions of toxic air contaminants (TACs) were analyzed in Impact AIR-5b of the MTP/SCS Program EIR. Construction activities associated with implementation of land use and transportation improvements in the MTP/SCS would result in short-term emissions of diesel particulate matter. If the proper mitigation were not applied, substantial emissions of TACs could be released during the construction period. The MTP/SCS EIR concluded that the potential to expose sensitive receptors to substantial TAC concentrations from construction at the regional and local levels would be significant. Therefore, the MTP/SCS EIR requires Mitigation Measure AIR-5, which states “Implement Mitigation Measure AIR-4.”

In summary, the MTP/SCS Program EIR concluded that SACOG cannot require implementing agencies to adopt Mitigation Measure AIR-5. Therefore, construction of projects associated with the MTP/SCS could expose sensitive receptors to substantial pollutant concentrations. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable.

Operational Impacts

CO hotspots were analyzed in Impact 6.1-5 of the 2030 General Plan Master EIR. On-road motor vehicles are the primary source of CO, and development associated with the 2030 General Plan would change traffic flows on the City’s road network. These changes to traffic flows, which could increase traffic volumes and lower levels of service, could also lead to an increase in local CO levels. Policy ER 6.1.1 requires the City to meet and maintain state and federal ambient air quality standards. Policy ER 6.1.12 requires the City to promote reduced idling, trip reduction, routing for efficiency, and use of alternate modes of transportation for operating departments within the city. Policy ER 6.1.13 requires the City to incorporate low-emission vehicles into fleet operations and to use available clean fuel sources for trucks and heavy equipment. Policy ER 6.1.14 requires the City to encourage the use of zero-emission vehicles, low-emission vehicles, bicycles, other nonmotorized vehicles, and car-sharing programs by requiring infrastructure and parking facilities in residential developments and employment centers to accommodate these vehicles. Policy ER 6.1.15 requires the City to give preference to contractors using reduced-emission equipment for City construction projects. Policy ER 6.1.16 encourages all employees in the city to arrive at their worksites by means other than single-occupant vehicles, and Policy ER 6.1.18 encourages employers to participate in SMAQMD public education programs. In summary, the 2030 General Plan Master EIR concluded that CO concentrations would not exceed the California ambient air quality standards with implementation of the policies in the 2030 General Plan.

⁵ This environmental issue addresses the questions set forth in City of Sacramento Environmental Checklist Questions F and G.

TAC emissions were analyzed in Impact 6.1-6 of the 2030 General Plan Master EIR. ARB has developed the *Air Quality and Land Use Handbook: A Community Health Perspective* to provide guidance on land use compatibility with sources of TACs (ARB 2005). The handbook offers advisory recommendations for the siting of sensitive receptors near uses associated with TACs. Policy ER 6.1.4 requires the City to ensure that all land use decisions are made in an equitable fashion to protect residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or geographic location, from the health effects of air pollution. Policy ER 6.1.5 requires that new development involving sensitive uses adjacent to TAC sources consider potential health risks. Policy ER 6.1.19 requires the City to educate members of the public about air quality standards, health effects, and efforts they can make to improve air quality in the Sacramento region. The 2030 General Plan Master EIR concluded that through implementation of these policies, this impact would be less than significant.

Operational TAC emissions were analyzed in Impact AIR-3 of the MTP/SCS Program EIR. Impact AIR-3 included a discussion of siting new sensitive receptors close to TAC sources, new stationary TAC sources close to sensitive receptors, and new mobile TAC sources close to sensitive receptors.

The MTP/SCS promotes a compact growth pattern, which can reduce regional VMT, emissions of criteria air pollutants, and TAC emissions from mobile sources. However, to achieve the greatest VMT reductions from a compact growth pattern, development also must necessarily be located near public transit and major roadway corridors. Therefore, TAC emissions could be reduced regionally, and individual sensitive receptors could be exposed to increased TAC emissions based on local parameters. Compact development can also result in the close proximity of new sensitive receptors to localized sources of TACs.

New stationary TAC sources, such as new distribution centers or dry cleaners, may be placed close to existing and new sensitive receptors as a result of the MTP/SCS. Although the MTP/SCS does not directly propose stationary TAC sources, land uses planned for the region could include permitted and nonpermitted TAC sources.

Mobile sources are the primary source of TACs for the MTP/SCS. The MTP/SCS would include new major roadways close to existing and new sensitive receptors. Investments in new transportation facilities could increase, redirect, or reduce the amount of vehicle travel in an area. In areas where new transportation infrastructure is proposed, there would be additional vehicle travel and associated vehicle-generated TACs. However, risk is site specific; specifically, the height of freeways, prevailing winds, and other factors can make a large difference in whether an individual area is exposed to elevated risks.

Because of the potential risks, and because the site-specific TAC source conditions and the sensitive receptor conditions were unknown, the MTP/SCS EIR requires Mitigation Measure AIR-2, which states that projects should adhere to the siting guidance presented in the ARB *Air Quality and Land Use Handbook* to the maximum extent possible. However, the MTP/SCS Program EIR concluded that the impact would be potentially significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure AIR-2: Adhere to ARB Handbook Siting Guidance to the Maximum Extent Possible.

The implementing agencies should adhere to the ARB Handbook siting guidance to the maximum extent possible. Where sensitive land uses or TAC sources would be sited within the minimum ARB-recommended distances, a screening-level HRA [health risk assessment] shall be conducted to determine, based on site-specific and project-specific characteristics, and all feasible mitigation best management practices (BMPs) shall be implemented. The HRA protocols of the applicable local air districts shall be followed or, where a district/office does not have adopted protocols, the protocol of SMAQMD or CAPCOA [California Air Pollution Control Officers Association] shall be followed. BMPs shall be applied as recommended and applicable, to reduce the impact to a less-than-significant level where feasible. The HRA should give particular attention to the nature of the receptor, recognizing that some receptors are particularly sensitive (e.g., schools, day care centers, assisted living and senior centers, and hospitals) and may require special measures.

Mitigation Measure AIR-4: Implementing Agencies Should Require Project Applicants to Implement Applicable, or Equivalent, Standard Construction Mitigation Measures.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue b), above.

Conclusions

Although the 2030 General Plan Master EIR concluded that this impact would be less than significant, the MTP/SCS Program EIR found that the impact may be significant and unavoidable. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

e) Create objectionable odors affecting a substantial number of people?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction Impacts

The 2030 General Plan Master EIR identified no impacts in this category.

Odor impacts associated with construction activities were analyzed in Impact AIR-5c of the MTP/SCS Program EIR. Exhaust odors from diesel engines, emissions associated with asphalt paving, and emissions from the application of architectural coatings may be considered offensive to some individuals. However, construction odors would be temporary and would disperse rapidly with distance from the source. Therefore, the MTP/SCS Program EIR found that construction-generated odors would not frequently expose on-site receptors to objectionable odor emissions.

In summary, the MTP/SCS Program EIR concluded that the MTP/SCS would not create objectionable odors from construction affecting a substantial number of people, and therefore concluded that the impact would be less than significant.

Operational Impacts

The 2030 General Plan Master EIR identified no impacts in this category.

Odor impacts associated with operational activities were analyzed in Impact AIR-4 of the MTP/SCS Program EIR. The analysis of Impact AIR-4 discussed potential odor sources from both land uses and transportation projects. The MTP/SCS Program EIR did not analyze potential odor impacts or odor-producing facilities at the project level. However, operational activities at new facilities (e.g., industrial and/or commercial uses) could create odors, exposing existing sensitive receptors that are not currently affected. Implementing the MTP/SCS could result in the development of new sensitive receptors near existing odor sources. Most proposed roadway projects in the MTP/SCS will occur in urbanized areas, where roadway improvements will not affect the number of people exposed to objectionable odors at the regional level.

In summary, the MTP/SCS Program EIR concluded that operation of future land uses could create objectionable odors affecting a substantial number of people and that this impact would be significant and unavoidable. The combined impacts associated with the land uses and transportation projects would be significant, and the MTP/SCS Program EIR requires Mitigation Measure AIR-3, which states that implementing agencies should require assessment of new and existing odor sources for individual land use projects. This impact would occur at the regional level and locally in the Center and Corridor Communities and transit priority areas.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure AIR-3: Implementing agencies should require assessment of new and existing odor sources for individual land use projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.

Implementing agencies should require assessment of new and existing odor sources for individual land use projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.

Conclusions

Construction Impacts

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a less-than-significant impact with respect to this issue. However, the issue will be evaluated further in the EIR.

Operational Impacts

The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measures AIR-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

- A) Result in construction emissions of NO_x above 85 pounds per day?**
- B) Result in operational emissions of NO_x or ROG above 65 pounds per day?**
- D) Result in PM₁₀ concentrations equal to or greater than 5% of the state ambient air quality standard (i.e., 50 micrograms per cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard? (However, if project emissions of NO_x and ROG are below the emission thresholds given above, then the project would not result in violations of the PM₁₀ ambient air quality standards.)**
- E) Result in CO concentrations that exceed the 1-hour state ambient air quality standard (i.e., 20.0 parts per million [ppm]) or the 8-hour state ambient standard (i.e., 9.0 ppm)?**

For the response to City of Sacramento Environmental Checklist Questions A), B), D), and E), see State CEQA Guidelines Appendix G Environmental Issue b), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

- C) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

For the response to City of Sacramento Environmental Checklist Question C), see State CEQA Guidelines Appendix G Environmental Issue a), above. For the reasons described above, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- F) Result in exposure of sensitive receptors to substantial pollutant concentrations?**
- G) Result in TAC exposures that would create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?**

For the response to City of Sacramento Environmental Checklist Questions F) and G), see State CEQA Guidelines Appendix G Environmental Issue d), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

URBAN HEAT ISLANDS

“Urban heat islands” are large areas of substantially higher air temperature in developed areas as compared to surrounding natural or agricultural landscapes, which often result from the lack of significant plant and/or tree canopy cover and the use of dark-colored pavement and building surfaces. Whereas light-colored surfaces reflect solar radiation and trees cool air temperatures, dark-colored surfaces absorb solar radiation and release heat energy that increases air temperatures. Large urban expanses with dark-colored pavement and lack of significant vegetated ground or tree canopy cover can lead to, or increase, the formation of smog and heat-related illnesses. However, at a micro level, individual building or small paved areas, by themselves, would not contribute these areawide heat island effects.

According to the U.S. Environmental Protection Agency (“Heat Island Impacts” at <http://www.epa.gov/heatislands/impacts/index.htm>), urban heat islands raise demand for electrical energy in summer. Companies that supply electricity typically rely on fossil fuel power plants to meet much of this demand, which in turn leads to an increase in air pollutant and greenhouse gas emissions. In addition to their impact on energy-related emissions, elevated temperatures can directly increase the rate of ground-level ozone formation. Ground-level ozone is formed when NO_x and volatile organic compounds (VOCs) react in the presence of sunlight and hot weather. If all other variables are equal, such as the level of precursor emissions in the air and wind speed and direction, more ground-level ozone will form as the environment becomes sunnier and hotter.

The California Attorney General, in its guidance on how to address heat island effects through general plan and other policies (*The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level*), recommends the adoption of a heat island mitigation plan, which could include requirements for cool roofs, cool pavements, and strategically placed shade trees. According to the Attorney General’s guidance, darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.

As discussed in Table 3.3-1 below, the City’s General Plan includes policies and implementation programs that implement the recommendations included in the Attorney General’s guidance and directly and indirectly address urban heat islands:

Land Use and Urban Design	Citywide Land Use and Urban Design	2.3.1 Multi-functional Green Infrastructure, 2.6.6, Heat Island Effect
	Neighborhoods	4.1.8 Neighborhood Street Trees, 4.2.2 Enhanced, Urban Forest, 4.5.3 Green Neighborhoods
	Centers	5.2.3 Public Spaces
	Corridors	6.1.11 Enhanced Pedestrian Environment
Environmental Resources	Urban Forest	3.1.2 Manage and Enhance, 3.1.6 Urban Heat, Island Effects, 3.1.7 Shade Tree Planting Program, 3.1.8 Public Education
	Agriculture	4.1.2 Community and Rooftop Gardens
Mobility	Roadways	4.2.3 Adequate Street Tree Canopy

Two General Plan policies specifically address urban heat island effects:

- ▶ **ER 3.1.6 (Urban Heat Island Effects):** The City shall continue to promote planting shade trees with substantial canopies, and **require**, where feasible, site design which uses trees to shade rooftops, parking facilities, streets, and other facilities to minimize heat island effects.
- ▶ **LU 2.6.6 Heat Island Effect:** The City shall reduce the “heat island effect” by promoting and requiring, where appropriate, such features as reflective roofing, green roofs, light colored pavement, and urban shade trees and by reducing the unshaded extent of parking lots.

The General Plan Implementation Plan also contains Land Use and Urban Design Implementation Measure 16:

- ▶ The City shall amend the Sacramento Code to establish additional standards, including cool roofing, green roofs, light colored pavement, and other measures, to minimize the heat island effect. Such standards shall be incorporated into the City’s Green Building Program and Climate Action Plan, as appropriate.

Additionally, Chapter 4 of Central City Urban Design Guidelines (Private Realm Guidelines) addresses urban heat islands through the following guidance:

▶ **Section D 3e (2). Roof Surfaces:**

- To reduce heat island effects, follow one of these strategies:
 - Specify roofing materials that have high solar reflectivity A. and high emissivity of the life of the material. Materials should achieve a solar reflectance index (as per LBNL Cool Roofing Materials database) of at least 78 for low-sloped roofs and 29 for high sloped roofs.
 - Use green roofs, planted with any of the following: B. vegetated surfaces, plants, shrubs, small trees, etc. Green roofs should be installed on at least 75% of the roof area, not including helicopter landing pads and occupiable roof terraces (in residential buildings only).
 - Install photo voltaic panel arrays on at least 50% of roof areas.

The proposed project would comply with the heat island strategies directed by the General Plan and Central City Urban Design Guidelines. The proposed project would result in a substantial reduction in the existing quantity of darker colored roofs located onsite, would remove existing surface parking lots, and would incorporate project features that further ensure, as compared to existing conditions, that the proposed project would result in **no impact** with respect to urban heat islands.

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3.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Create a potential health hazard, or use, production, or disposal of materials that would pose a hazard to plant or animal populations in the area affected?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.4.1 ENVIRONMENTAL SETTING

The project site is located in Sacramento’s Central Business District approximately 0.3 mile east of the Sacramento River. The site is generally bounded by 5th, 7th, N, and P Streets. The project site encompasses approximately 10 acres on portions of four blocks in downtown Sacramento. The project site is generally flat, with elevations ranging from approximately 15 to 20 feet above mean sea level. Tree cover is distributed fairly evenly across the site. All on-site trees were planted in conjunction with development of the project site. Based on the results of an arborist survey conducted on the site, there are 50 trees on or adjacent to the project site that meet the City’s definition of either a City Street Tree or a Heritage Tree (Dudek 2014).

To assess the potential of the proposed project to affect special-status plant or wildlife species, or sensitive vegetation communities, the California Natural Diversity Database (CNDDDB 2014), the U.S. Fish and Wildlife Service (USFWS) species list for the Sacramento West and Sacramento East U.S. Geological Survey (USGS) quadrangles (USFWS 2014), and the California Native Plant Society database for the Sacramento West and Sacramento East USGS quadrangles (CNPS 2014) were consulted regarding special-status plant and wildlife species known to occur in the vicinity of the site. These results found 14 special-status plant and wildlife species that may occur in the vicinity of the project site. Many of the records from this search are associated with habitats in the Sacramento River and the immediate upland areas. These habitat types do not occur on the project site.

Species	Federal Status	State Status	Other Status	Habitat	Potential to Occur on the Project Site
Sanford’s arrowhead <i>Sagittaria sanfordii</i>	–	–	Rare Plant 1B.2	Marshes, canals, and ditches with reliable water sources.	None. No suitable habitat present for this species.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	T	–	–	Inhabits primarily vernal pools, but also occurs in other seasonal wetlands such as alkaline rain pools, ephemeral drainages, rock outcrop pools, ditches, stream oxbows, stock ponds, and vernal swales.	None. No suitable habitat present for this species.
Vernal pool tadpole shrimp <i>Lepidurus packardii</i>	E	–	–	Occurs in a variety of seasonal habitats: vernal pools, ponded clay flats, alkaline pools, ephemeral stock tanks, and roadside ditches.	None. No suitable habitat present for this species.
Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	T	–	–	Associated with elderberry shrubs for completion of life cycle. Elderberry shrubs often, but not always, associated with riparian habitats.	None. No suitable habitat present for this species.
Giant garter snake <i>Thamnophis gigas</i>	T	T	–	Marshes, canals, and ditches with reliable water sources. Requires vegetative cover.	None. No suitable habitat present for this species.
California tiger salamander <i>Ambystoma californiense</i>	T	T	–	Breeds in vernal pools or other temporary pools; spends most of life cycle in upland burrows.	None. No suitable habitat present for this species.

**Table 3.4-1
Special-Status Plant and Wildlife Species with Potential to Occur in the Vicinity of the Project Site
(Continued)**

Species	Federal Status	State Status	Other Status	Habitat	Potential to Occur on the Project Site
California red-legged frog <i>Rana draytonii</i>	T	CSC	–	Aquatic habitat such as ponds, backwaters, sloughs, stock ponds, especially with emergent and submersed aquatic vegetation.	None. No suitable habitat present for this species.
Bank swallow <i>Riparia riparia</i>	–	T	–	Nests along riverbanks and cliff faces.	None. No suitable habitat present for this species.
Purple martin <i>Progne subis</i>	–	CSC	–	Nests in caves or other overhanging structures such as freeway overpasses.	None. No suitable nesting habitat present for this species.
Burrowing owl <i>Athene cunicularia</i>	–	CSC	–	Open dry grasslands and desert habitat; nests and dens in underground burrows, especially those of ground squirrels.	None. No suitable habitat present for this species.
Cooper's hawk <i>Accipiter cooperii</i>	–	WL	–	Inhabits oak savanna, woodlands, and open grassland habitats, especially near water.	Possible. Trees on-site provide suitable nesting habitat for this species.
Swainson's hawk <i>Buteo swainsoni</i>	–	T	–	Nests in oak savanna, woodlands, and riparian habitats. Will nest in large trees in urban landscapes. Forages in open grassland and agricultural habitats.	Possible. Trees on-site provide suitable nesting habitat for this species.
White-tailed kite <i>Elanus leucurus</i>	–	FP	–	Prefers coastal and lowland valleys; often associated with farmlands, meadows with emergent vegetation, grasslands.	Possible. Trees on-site provide suitable nesting habitat for this species.
Least Bell's vireo <i>Vireo bellii pusillus</i>	E	E	–	Riparian habitat with dense understory for nesting.	None. No suitable habitat present for this species.

Notes: CNDDDB = California Natural Diversity Database

¹ **Federal Status:**

E = Endangered
T = Threatened

² **State Status:**

CSC = California Species of Special Concern
E = Endangered
FP = Fully Protected
T = Threatened
WL = Watch list
Rare Plant Ranking
1B.2 Rare or Endangered in California and elsewhere

Sources: CNDDDB 2014; CNPS 2014; USFWS 2014

No aquatic habitat for fish species is present on or adjacent to the project site. The urban tree landscape within the project site provides potential nesting habitat for a variety of bird species covered by the federal Migratory Bird Treaty Act (MBTA), and the potential exists for raptor species protected by the California Fish and Game Code and other regulations to nest on-site. Special-status species with the potential to occur on the project site include Cooper's hawk (*Accipiter cooperi*), Swainson's hawk (*Buteo swainsonii*), and white-tailed kite (*Elanus leucurus*).

3.4.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

As demonstrated in Table 3.4-1, the only candidate, sensitive, or special-status species with the potential to be affected by the proposed project are bird species. Construction and operational impacts associated with birds were analyzed in Impacts 6.3-4 and 6.3-13 of the 2030 General Plan Master EIR. The analysis of Impacts 6.3-4 and 6.3-13 determined that policies in the 2030 General Plan would result in the loss of nesting habitat for birds and other protected or special-status wildlife species. The site does not provide suitable foraging habitat for bird species. The findings in the 2030 General Plan Master EIR relating to Impacts 6.3-4 and 6.3-13 were generally made in the context of previously undeveloped (greenfield) developments, and not urban infill developments like the project site. The 2030 General Plan Master EIR acknowledged that infill and redevelopment projects such as the proposed project “do not support a wide diversity of biological resources” (City of Sacramento 2009:6.3-36).

The 2030 General Plan acknowledged that urbanized environments could provide habitats for some special-status bird species. Therefore, the 2030 General Plan Master EIR includes measures and policies to assess and mitigate habitat losses. Specifically, Policy ER 2.1.1 directs the City to encourage new development to preserve on-site natural elements. Policy ER 2.1.4 directs the City to retain areas where there are known sensitive resources, including sensitive species, and in particular, areas that are contiguous with other existing natural areas or wildlife movement corridors. Policy ER 2.1.10 requires that habitat assessments be conducted for projects that potentially would result in impacts on special-status plants or wildlife. Policy ER 2.1.11 requires the City to coordinate with the agencies to protect areas containing rare or endangered species. Policy ER 3.1.3 requires the City to implement the tree protection ordinance.

Construction and operational impacts on biological resources were analyzed in Impact BIO-1b of the MTP/SCS Program EIR. Impact BIO-1b summarized potential impacts on special-status wildlife species. The Center and Corridor Community within which the project site is located has only remnant patches of open space. The project site does not contain any natural habitat types, remnant or otherwise. The site contains nonnative and native tree species that were planted as part of the current development on the site. The site contains potential habitat for nesting bird species because of the trees present within the existing development. Thus, Impact BIO-1b is applicable to the project site in that the site does contain nesting habitat for some special-status wildlife species (Swainson’s hawk, Cooper’s hawk, and white-tailed kite). Mitigation Measure BIO-2 in the MTP/SCS Program EIR was proposed to mitigate impacts on special-status wildlife species that may occur on the project site. However, the MTP/SCS Program EIR concluded that the impact would be significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure BIO-2: Avoid, Minimize, and Mitigate Impacts on Special-Status Wildlife Species.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, habitat for special-status wildlife. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols and standards in the industry. Where the biological resources assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status wildlife species, mitigation should be developed consistent with the requirements of CEQA, USFWS, and CDFG [now California Department of Fish and Wildlife (CDFW)] regulations and guidelines, in addition to applicable requirements of an adopted HCP/NCCP [habitat conservation plan/natural community conservation plan] or other applicable plans promulgated to protect species/habitat.

At a minimum the following performance standards will be implemented by the project applicant for mitigation of impacts to special-status wildlife:

- Avoidance of special-status wildlife and their habitat will be pursued where feasible, as defined in Section 15364 of the CEQA Guidelines.
- Where avoidance is infeasible, impacts should be mitigated through preservation, restoration, or creation of special-status wildlife habitat, where appropriate and feasible. Loss of habitat will be mitigated at an agency approved mitigation bank or through individual mitigation locations as approved by USFWS and/or CDFG [CDFW]. The minimum replacement ratios and typical mitigation for wildlife habitat that could be impacted by the proposed project are presented below in Table 6.12 [reproduced below as Table 3.4-2]. The mitigation site will be monitored the first year after the mitigation is implemented and every five years thereafter, until the mitigation is considered to be successful.

Table 3.4-2 Minimum Replacement Ratios and Typical Mitigation for Wildlife Habitat¹		
Species	Preservation	Creation/Restoration
Swainson's hawk	Preserve foraging habitat from 0.5:1 to 1.5:1 ²	NA
Notes: ¹ Mitigation Measure BIO-2 in the MTP/SCS Program EIR also included ratios for vernal pool species, valley elderberry longhorn beetle, giant garter snake, and burrowing owl. Because there is no habitat on the project site for these species, they are not included in this table. ² Although Swainson's hawk could potentially nest on the project site, there is no foraging habitat present on the project site. Therefore, the mitigation ratio for foraging habitat would not apply to this project. Source: Table 6.12 in MTP/SCS Program EIR (SACOG 2011)		

- All mitigation areas should be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency,

establishment of a preserve management plan, and guaranteed long-term funding for site preservation through the establishment of a management endowment.

The implementing agency should require applicants to mitigate at the above ratios or greater depending on habitat quality, other impacts to the species, and other factors deemed important by the agencies.

Conclusions

The project site contains several trees that provide potential nesting habitat for special-status bird species including Swainson's hawk, Cooper's hawk, and white-tailed kite. The proposed project would remove up to four Heritage Trees for construction, and up to an additional six Heritage Trees depending on the final locations of buildings. An additional four City Street Trees would be removed to facilitate site access or utility installation. The remaining existing City Street Trees would be protected in place (as feasible), providing a mature, vegetated "frame" around the new community. The project has the potential to affect nesting bird species and would result in the removal of or other impacts on trees protected by the City. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of the Mitigation Measure BIO-2. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

The project site does not contain riparian habitats or other sensitive natural communities. The site is located in an urban environment; therefore, there are no riparian habitats or other sensitive habitats adjacent to the project site that would be affected by project construction or operation. Therefore, **no impact** on riparian habitat or other sensitive natural communities would occur during construction or operation of the proposed project. This topic will not be evaluated further in the EIR.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The project site does not contain federally protected wetlands or other features regulated under Section 404 of the Clean Water Act. Therefore, **no impact** on wetlands would occur during construction or operation of the proposed project. This topic will not be evaluated further in the EIR.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site is in an urban area and does not contain wildlife movement corridors or native wildlife nursery sites. Therefore, **no impact** on fish or wildlife movement or migratory corridors would occur

during construction or operation of the proposed project. This topic will not be evaluated further in the EIR.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with tree ordinances were analyzed in Impact 6.3-11 of the 2030 General Plan Master EIR. The analysis of Impact 6.3-11 determined that compliance with policies contained in the existing Tree Preservation Ordinance ensures a less-than-significant impact on protected trees. The 2030 General Plan calls for implementation of the Tree Preservation Ordinance as applicable.

The analysis of Impact BIO-5 in the MTP/SCS Program EIR discusses counties and cities that have local ordinances and policies to protect native and nonnative trees in urban locations. Mitigation Measure BIO-8 was proposed to mitigate impacts on native and nonnative trees regulated by local ordinances.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure BIO-8: Avoid, Minimize, and Mitigate for Impacts on Protected Trees and Other Biological Resources Protected by Local Ordinances.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, protected trees or other locally protected biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation should be implemented when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow an adopted HCP/NCCP or other applicable plans promulgated to protect species/habitat.

Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, defined in section 15364 of the CEQA Guidelines.

At a minimum, qualifying protected trees (or other resources) will be replaced at 1:1 in locally approved mitigation sites.

As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.

Conclusions

Construction of the proposed project is expected to result in the removal of up to four Heritage Trees in good or fair condition and the potential removal of up to an additional six Heritage Trees, depending on final building locations (Dudek 2014). An additional four City Street Trees would be removed to facilitate site access or utility installation. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure BIO-8. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR and the MTP/SCS Program EIR identified no impacts in this category.

Conclusions

The project site is not in a location subject to an HCP, NCCP, or other local, regional, or state HCP. Therefore, **no impact** related to HCP or NCCP provisions would occur during construction or operation of the project. This topic will not be evaluated further.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) **Create a potential health hazard, or use, production, or disposal of materials that would pose a hazard to plant or animal populations in the area affected?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction of the proposed project is not expected to result in a health hazard to plant or animal populations. The project has the potential to affect nesting bird species and would result in the removal of or other impacts on trees protected by the City. With the incorporation of Mitigation Measures BIO-8 and BIO-9 from the MTP/SCS Program EIR. Mitigation Measure BIO-8 was proposed to mitigate impacts on native and nonnative trees regulated by local ordinances. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure BIO-8. Mitigation Measure BIO-9 was proposed to mitigate impacts on active nests during construction.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure Bio-8: Avoid, Minimize, and Mitigate for Impacts on Protected Trees and Other Biological Resources Protected by Local Ordinances.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under State CEQA Guidelines Appendix G Environmental Issue e), above.

Mitigation Measure BIO-9: Avoid and Minimize, and Mitigate for Construction-Related Impacts.

Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, sensitive biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. As necessary and as required by regulatory agencies, project applicants should prepare mitigation and monitoring plans that identify avoidance and minimization measures that should reduce the level of potential direct and indirect impacts to sensitive biological resources to below thresholds of significance. These measures should be consistent with the requirements of CEQA. Where federally or state listed species could be potentially impacted by construction activities, the project applicant should adhere to regulatory guidelines and policies that identify specific avoidance and minimization measures to insure that these actions do not result in the take of a listed species, except as authorized under a USFWS Biological Opinion or a CDFW Incidental Take Permit.

Conclusion

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- B) Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal?**
- C) Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan acknowledged that urbanized environments could provide habitats for some special-status bird species. Therefore, the 2030 General Plan Master EIR includes measures and policies to assess and mitigate habitat losses. Specifically, Policy ER 2.1.1 directs the City to encourage new development to preserve on-site natural elements. Policy ER 2.1.4 directs the City to retain areas where there are known sensitive resources, including sensitive species, and in particular, areas that are contiguous with other existing natural areas or wildlife movement corridors. Policy ER 2.1.10 requires that habitat assessments be conducted for projects that potentially would result in impacts on special-status plants or wildlife. Policy ER 2.1.11 requires the City to coordinate with the agencies to protect areas containing rare or endangered species. Policy ER 3.1.3 requires the City to implement the tree protection ordinance.

As demonstrated in Table 3.4-1, the only candidate, sensitive, or special-status species with the potential to be affected by the proposed project are bird species. Construction and operational impacts associated with birds were analyzed in Impacts 6.3-4 and 6.3-13 of the 2030 General Plan Master EIR. The analysis of Impacts 6.3-4 and 6.3-13 determined that policies in the 2030 General Plan would

result in the loss of nesting habitat for birds and other protected or special-status wildlife species. The site does not provide suitable foraging habitat for bird species. The findings in the 2030 General Plan Master EIR relating to Impacts 6.3-4 and 6.3-13 were generally made in the context of previously undeveloped (greenfield) developments, and not urban infill developments like the project site. The 2030 General Plan Master EIR acknowledged that infill and redevelopment projects such as the proposed project “do not support a wide diversity of biological resources” (City of Sacramento 2009:6.3-36).

The 2030 General Plan acknowledged that urbanized environments could provide habitats for some special-status bird species. Therefore, the 2030 General Plan Master EIR includes measures and policies to assess and mitigate habitat losses. Specifically, Policy ER 2.1.1 directs the City to encourage new development to preserve on-site natural elements. Policy ER 2.1.4 directs the City to retain areas where there are known sensitive resources, including sensitive species, and in particular, areas that are contiguous with other existing natural areas or wildlife movement corridors. Policy ER 2.1.10 requires that habitat assessments be conducted for projects that potentially would result in impacts on special-status plants or wildlife. Policy ER 2.1.11 requires the City to coordinate with the agencies to protect areas containing rare or endangered species. Policy ER 3.1.3 requires the City to implement the tree protection ordinance.

The 2030 General Plan Master EIR found that projects covered by the 2030 General Plan must comply with the policies and regulations in the 2030 General Plan and with the California Endangered Species Act, federal Endangered Species Act, Clean Water Act, and National Pollutant Discharge Elimination System requirements.

Construction and operational impacts on biological resources were analyzed in Impact BIO-1b of the MTP/SCS Program EIR. Impact BIO-1b summarized potential impacts on special-status wildlife species. The Center and Corridor Community within which the project site is located has only remnant patches of open space. The project site does not contain any natural habitat types, remnant or otherwise. The site contains nonnative and native tree species that were planted as part of the current development on the site. The site contains potential habitat for nesting bird species because of the trees present within the existing development. Thus, Impact BIO-1b is applicable to the project site in that the site does contain nesting habitat for some special-status wildlife species (Swainson’s hawk, Cooper’s hawk, and white-tailed kite). Mitigation Measure BIO-2 in the MTP/SCS Program EIR was proposed to mitigate impacts on special-status wildlife species that may occur on the project site. However, the MTP/SCS Program EIR concluded that the impact would be significant and unavoidable.

Conclusion

The 2030 General Plan Master EIR concluded that impacts associated with these issues would be significant and unavoidable, these impacts are considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to these issues can be reduced to a less-than-significant level for the proposed project.

3.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B) Directly or indirectly destroy a unique paleontological resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.5.1 ENVIRONMENTAL SETTING

PALEONTOLOGICAL RESOURCES

Surficial deposits at the project site consist of levee and basin deposits of Holocene age (i.e., within the last 11,700 years), underlain by the Riverbank Formation. The Riverbank Formation is Pleistocene in age; estimates place the age between 130,000 and 450,000 years Before Present (B.P.). Fossil specimens from sediments referable to the Riverbank Formation have been reported at numerous locations throughout the Central Valley (UCMP 2014). Geologic maps and reports covering the geology of the project area and vicinity were reviewed to determine the exposed rock units and to delineate their respective areal distributions in the project area. The literature review was supplemented by an archival search conducted at the University of California Museum of Paleontology (UCMP) on April 18, 2014 (UCMP 2014). Because the project site is completely developed and consists primarily of paved areas with small areas of urban street trees and planters, the ground surface is not visible. Therefore, a site visit to assess paleontological resources was deemed unnecessary. The results of the UCMP paleontological records search (UCMP 2014) indicated that no fossil remains have been recovered from the project site. However, the occurrence of Pleistocene vertebrate fossil remains in sediments referable to the Riverbank Formation in Sacramento and throughout the Central Valley indicates that this rock formation is paleontologically sensitive.

NATIVE AMERICAN AND ARCHAEOLOGICAL RESOURCES

Native American settlement in the Sacramento area began roughly 12,000 years ago. The Nisenan were attracted to the area by its year-round water supply and the food sources it provided, including game, fish, seeds, and nuts. Significant contact with nonnatives eventually occurred in the early 19th century as Spanish, other European, Mexican, other North American, and other explorers from throughout the world began to investigate the Sacramento Valley. Those Nisenan who were not killed by the diseases carried by the Europeans were forced from their lands by intimidation and violence.

A records search conducted at the North Central Information Center of the California Historical Resource Information System on May 2, 2014, identified 13 previous investigations within one-quarter mile of the project site. No previous investigations have been conducted at the project site, and no previously identified cultural resources exist within the site. One historic-era archaeological resource is located within one-quarter mile of the project site (North Central Information Center 2014).

A request for a search of Native American Heritage Commission (NAHC) sacred lands file was sent on May 1, 2014. The NAHC response letter stated that the sacred lands database failed to indicate the presence of Native American resources in the immediate project area. The NAHC letter listed Native American organizations and individuals who may have knowledge of cultural resources in the project area. Letters that included a brief project description and a project map were sent to each organization or individual identified on the NAHC list. As of the date of the publication of this initial study, one response has been received from organizations or individuals identified on the NAHC list. The Shingle Springs Band of Miwok Indians indicated in a letter dated June 16, 2014 that they are not aware of any known cultural resources on the project site, but they would like to receive updates on the project and receive any environmental reports prepared for the project.

BUILT ENVIRONMENT

North American and European trappers and settlers arrived in the area in the 1830s, encouraged by the fur trade and Mexican government land grants. John A. Sutter arrived in 1839 and established a fort and trading post, forming the core of the settlement that became Sacramento. After the discovery of gold in January 1848, Sacramento became a primary supply point for the influx of gold seekers. The Sacramento River allowed the city to serve as the main port for the importation of the miners and mining supplies, and for shipping out gold bound for San Francisco. The city of Sacramento was founded in 1849. California attained statehood on September 9, 1850, and in 1854, Sacramento became the state capital.

The project site is located in the formerly mixed-use portion of Sacramento referred to historically as the West End. Although the West End did not have clearly defined boundaries, the area was roughly located between the Sacramento River to the west and the State Capitol to the east, the Southern Pacific Railroad yard to the north and Y Street (now Broadway) to the south. By the turn of the 20th century, the West End had entered a period of economic and physical transition. Until that time, the area had been the focus of Sacramento's river and rail transportation, local economy, and residential growth. By the 1910s, and generally coinciding with the development of new streetcar suburbs to the east and south such as East Sacramento, Oak Park, Curtis Park, and to some extent Land Park, the

area had evolved into a predominantly commercial and working-class quarter and home to hundreds of itinerant laborers.

The West End became the subject of the first post–World War II redevelopment project in California, with many blocks of land assembled and hundreds of buildings in the area demolished. Eventually, three redevelopment phases were carried out in the area with the support of the federal government, including the Capitol Towers project. In addition to redevelopment, the West End was subject to zoning and transportation infrastructure changes as the City Planning Department redesigned the M Street corridor to create a monumental approach from the Tower Bridge to the Capitol that came to be known as “Capitol Mall.” The final redevelopment project of that era was also intertwined with the modernization of state and interstate highway development that brought the Interstate 5 freeway through the West End (JRP 2014).

The project site is currently developed with 409 residential units, neighborhood-serving retail and commercial space, recreational amenities (including a swimming pool), laundry facilities, various landscaped areas, a three-level parking structure containing 200 parking spaces, and 190 parking spaces. The 409 residential units consist of 206 two- and three-story garden apartments and 203 units in the 15-story Capitol Towers building. Sharing the four-block project area, but not a part of the project site, are the separately owned 15-story 500 N Street residential condominium tower and the 12-story Pioneer Towers senior apartments.

The Capitol Towers project was the single residential development in the 15-block Capitol Mall redevelopment project. In December 1958, the Sacramento Redevelopment Agency sold the four-block area bounded by 5th, 7th, N, and P Streets to the Renewal and Development Corporation of New York, owned by developers James H. Scheuer and Roger Stevens. The initial plans for the Capitol Towers project included three 15-story apartment towers and 208 low-rise garden apartments for a total of 680 units. As was done for other similar redevelopment projects across the country, Scheuer hired a collection of well-known and experienced designers and planners for the Capitol Towers project. The lead design company was the San Francisco architectural firm of Wurster Bernardi and Emmons, which worked in collaboration with New York architect Edward Larrabee Barnes, fellow Bay Area architecture firm DeMars & Reay, and the landscape architecture firm Lawrence Halprin & Associates. Additional consultants were hired including architectural consultants Mayer, Whittlesey & Glass and Dreyfuss & Blackford; planning consultant Carl Feiss; housing consultant Nathaniel S. Keith; and color consultant Alexander Girard.

The design of the project changed considerably between the initial designs in 1958 and the construction period from 1960 through 1965. Construction estimates in 1959 exceeded expectations, and the project team had to revise the project to reduce costs and better align the project with federal requirements, available funding, and mortgage guarantees. The most extensive changes were to the project’s site and landscape plans. Most striking, the project’s layout changed from the original design. The design team’s new layout shifted the main axis of the property from an east-west orientation to a north-south orientation, reoriented the tower units to avoid large expanses of west-facing façades (because of Sacramento’s summer heat), reorganized the combination of small and large sets of garden apartment units strung together under continual roofs, and reduced the size and scale of the landscaped courtyards. Garden walls were to be changed from concrete to wood, brick was changed in

favor of colored concrete, the pool was poured concrete instead of cast stone, the landscape design's sunken pool was eliminated, all shrubs and vines proposed for private patio areas were eliminated, trees were reduced in size from 5 gallons to 1 gallon, and elaborate play structures were changed to a standard swing set.

The exterior appearance of the apartment tower design was also altered considerably between the initial plans and construction of the single high-rise tower in 1965. In May 1962, final architectural drawings for the 203-unit high-rise were released showing one penthouse floor (in contrast with the earlier option from early 1961, which showed two penthouse floors, or the even earlier version, which showed none) and converting the ground floor from residential to commercial space. Construction of the tower began in late summer/early fall 1962, 2 years after the original agreement, which was to initiate tower construction after completion of the project's first garden apartment units. Later projects, completed by others, on the superblock included the Pioneer Tower building, which was completed in 1978, and the Bridgeway Tower (500 N Street) building, which was completed in 1980.

The Capitol Towers project was part of a growing trend toward increased development of apartments with improved amenities across the country during the 1950s and 1960s. In 1961, apparently invited by the project's landscape architect Lawrence Halprin, sculptor Jacques Overhoff produced an eight-panel set of concrete relief art pieces for Capitol Towers. These art pieces are installed on the wall by the pool, facing west toward the property's central plaza. These panels do not appear to have been part of the project's initial design in 1958. Like many of the project's design elements, they were added to the project by the design team before and during construction of the initial garden apartment units and swimming pool. The Capitol Towers apartments are now upgraded and occupied and remodeled further since the changes made in 2005–2006 (JRP 2014).

3.5.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?⁶**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with a change in the significance of a historical resource were analyzed in Impact 6.4-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.4-1 determined that growth projected to occur within the city would occur through both infill development and build out of currently undeveloped areas. Increased maximum-density allowances in the urban area could lead to the demolition of historic or potentially historic buildings and structures. The analysis determined that the policies in the Historic and Cultural Resources Element of the 2030 General Plan include a variety of regulations and incentives aimed at preserving both publicly and privately owned historic and cultural resources. Specifically, Policy HCR 2.1.14 directly reduces the probability of demolition. This policy requires that the City consider demolition of historic resources as a last resort to be permitted only if rehabilitation of the resource is not feasible and demolition is necessary to protect the health, safety, and welfare of its residents, or the benefits outweigh the loss of

⁶ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

the historic resource. However, because preservation may not always be feasible and the benefits of some projects may justify demolishing historic resources within the city limits, the 2030 General Plan Master EIR concluded that this impact would be significant and unavoidable.

Construction impacts associated with a change in the significance of a historical resource were analyzed in Impact CR-1 of the MTP/SCS Program EIR. The analysis of Impact CR-1 determined that, in general, the potential for impacts on historical resources varies by development area type (or by the location of transportation improvements). Historical resources are more prevalent in areas that were initially developed more than 50 years ago, including historic downtown areas such as downtown Sacramento. Concentrations of historic structures and the presence of historic districts are thus more likely in Center and Corridor Communities than in Developing Communities.

The analysis determined that construction may result in impacts on architectural/built environment historical resources. Ground-disturbing and other activities associated with construction may result in damage to or physical demolition, destruction, relocation, or alteration of historical buildings or structures, which could result in a substantial adverse change to historically significant built environment/architectural historical resources. The analysis determined that if architectural/built environment historical resources cannot be completely avoided by project design, impacts could be potentially significant. The analysis concluded that the implementing agency should adopt Mitigation Measure CR-1, which recommends preparing historical resource studies and identifying and implementing project-specific mitigation.

Operational impacts associated with a change in the significance of a historical resource were analyzed in Impact CR-1 of the MTP/SCS Program EIR. The analysis of Impact CR-1 determined that the only operational impacts on historical resources would be attributable to vibration, including vibration from rail operations. The analysis determined that some historic resources are more susceptible to damage from vibration than modern buildings, depending on their materials and structure. The analysis concluded that the implementing agency should adopt Mitigation Measure CR-1, which recommends preparing historical resource studies and identifying and implementing project-specific mitigation. However, the MTP/SCS Program EIR concluded that this impact would be significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure CR-1: Conduct historical resource studies and identify and implement project-specific mitigation.

As part of planning, design and engineering for projects that result from the proposed MTP/SCS, the implementing agency should ensure that historic resources are treated in accordance with applicable federal, state and local laws and regulations. When a project has been identified as potentially affecting a historical resource, a historical resources inventory should be conducted by a qualified architectural historian. The study should comply with CEQA Guidelines section 15064.5(b), and, if federal funding or permits are required, with section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. § 470 et seq.). If required, the study should consist of the following elements:

- a records search at the appropriate Information Center of the California Historical Resources Information System;
- contact with local historical societies, museums, or other interested parties as appropriate to help determine locations of known significant historical resources;
- necessary background, archival and historic research;
- a survey of built environment/architectural resources that are 50 years old or older that may be directly or indirectly impacted by project activities; and
- recordation and evaluation of built environment/architectural resources that are 50 years old or older that may be directly or indirectly impacted by project activities; buildings should be evaluated under CRHR [California Register of Historical Resources] and/or NRHP [National Register of Historic Places] Criteria as appropriate and recorded on California Department of Parks and Recreation 523 forms.

These elements should be compiled into a Historical Survey Report that should be submitted to the appropriate Information Center and should also be used for SHPO [State Historic Preservation Officer] consultation if the project is subject to NHPA section 106.

In the case of demolition or significant modification to physical characteristics creating the historical significance of a resource, the implementing agency should consider the completion of Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) Standards documents.

For projects that require NHPA Section 106 compliance, consultation with the State Office of Historic Preservation (SHPO) will be necessary to conduct effects analysis as well as to develop feasible and appropriate mitigation measures. Should analysis indicate that proposed changes to the historical resource will not impact the ability of the property to convey its significance, a Finding of No Adverse Effect Document can be produced and the project can proceed as planned or with agreed upon conditions (as detailed in an agreement document).

If no historical resources are identified in the Historical Survey Report, meaning there are no NRHP, CRHR or locally listed or evaluated resources in the project study area, then mitigation is complete, and there is no impact to historical resources for the project. The impact would be less than significant (LS).

If the Historical Survey Report indicates that NRHP, CRHR or locally listed or eligible historical resources exist in the project study area, the implementing agency should consider avoidance as the primary mitigation measure. If avoidance is possible, mitigation is complete, and the impact to historical resources would be less than significant (LS).

If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include, but are not limited to, specific design plans for historic districts, or plans for alteration or adaptive re-use of a historical resource that follows the Secretary of the

Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings. Adaptive re-use or other measures developed consistent with the Secretary of the Interior's Standards will reduce impacts to a less than significant level unless such measures are unable to avoid materially altering the physical characteristics creating the resource's historical significance in an adverse manner. If the implementing agency determines these measures cannot avoid such material alterations to the physical characteristics creating the resource's historical significance, then the impact would remain potentially significant (PS).

For archaeological resources that meet the definition of historical resources, where in-place preservation is possible, the impact to the historic archaeological resources will be less than significant (LS). Additionally, where the implementing agency determines that an alternative mitigation method is superior to in place preservation, the agency may implement such alternative measures to reduce the impact to less than significant (LS). If neither in place preservation nor any superior measures are possible, then the impact would be significant and unavoidable (SU).

Creation of a Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standards document will reduce the impact associated with the loss or modification of historically significant physical characteristics of effected resources. It would not reduce the impact to a less than significant level (LS); the impact would remain potentially significant (PS).

For projects that require NHPA section 106 compliance, consultation with the State Office of Historic Preservation (SHPO) will be necessary to conduct effects analysis, as well as to develop feasible and appropriate mitigation measures. Should analysis indicate that proposed changes to the historical resource will not impact the ability of the property to convey its significance, a Finding of No Adverse Effect Document can be produced and the project can proceed as planned or with agreed upon conditions (as detailed in an agreement document).

A Finding of Adverse Effect Document will be produced if there is no feasible way to avoid, minimize or mitigate adverse effects to the historical resource. In this case, a Memorandum of Agreement (MOA) or a Memorandum of Understanding (MOU) document must be prepared which will outline stipulations or conditions for treatment of the historical resources that must be followed for the project to continue. Under this scenario, the impact would be significant and unavoidable (SU).

Conclusions

The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure CR-1. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with a substantial adverse change in the significance of an archaeological resource were analyzed in Impact 6.4-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.4-2 determined that Sacramento and the surrounding area have had a long cultural history and are known to have been occupied by Native American groups for thousands of years before settlement by non-Native peoples. Archaeological materials, including human burials, have been found throughout the city. Human burials outside of formal cemeteries often occur in prehistoric contexts. The analysis determined that growth projected to occur within the city would occur through both infill development and build out of currently undeveloped areas. Increased maximum-density allowances in the urban area could result in development that damages prehistoric- and historic-period archaeological resources located at or near the ground surface. The analysis determined that 2030 General Plan Policies HCR 2.1.2 and HCR 2.1.15 would protect archaeological resources by ensuring compliance with protocols that protect or mitigate impacts on archaeological, historic, and cultural resources. However, the 2030 General Plan Master EIR concluded that the impact would be significant and unavoidable.

Construction impacts associated with a substantial adverse change in the significance of an archaeological resource were analyzed in Impact CR-2 of the MTP/SCS Program EIR. The analysis of Impact CR-2 determined that archaeological resources are more likely to be encountered in areas previously developed more than 50 years ago. These areas are more likely to be found in Center and Corridor Communities, such as downtown Sacramento. Prehistoric archaeological resources are likely to be encountered near areas of prior Native American occupation and activity, which includes areas both within and outside of areas of current development. The analysis determined that impacts on archaeological resources may result from ground disturbance associated with construction, such as grading and excavation. The analysis determined that the implementing agency should adopt Mitigation Measure CR-2, which recommends preparing archaeological resource studies and identifying and implementing project-specific mitigation. However, the analysis concluded on a programmatic level that the impact would be significant and unavoidable for two reasons: (1) the characteristics of any individual project and/or resource variably affect the level of significance after mitigation and (2) the Sacramento Area Council of Governments cannot require the implementing agency to adopt this mitigation measure because such agency ultimately is responsible for determining and adopting mitigation.

Operational impacts associated with a substantial adverse change in the significance of an archaeological resource were analyzed in Impact CR-1 of the MTP/SCS Program EIR. The analysis of Impact CR-1 determined that impacts on archaeological resources are most often a result of construction, but operational impacts can result as well. For instance, installing facilities that attract the public can result in increased illicit collecting from sites. Sites that previously had been hard to access are now available to larger numbers of people, who may collect artifacts. The analysis concluded that the implementing agency should adopt Mitigation Measure CR-3, which includes measures to reduce the visibility or accessibility of the archaeological resources to the public.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure CR-2: Conduct Archaeological Resource Studies and Identify and Implement Project-Specific Mitigation.

The implementing agency, prior to planning, design and engineering of specific projects in the proposed MTP/SCS, should ensure that archaeological resources are treated appropriately according to state, federal, and local laws and regulations, as applicable. If an archaeological resource is determined to be historically significant (CEQA Guidelines, § 15064.5(a).), then Mitigation Measure CR-1 should be applied. The mitigation measure below applies to nonhistorically significant archaeological resources.

When a project has been identified as potentially affecting a unique archaeological resource, an archaeological inventory should be conducted by a qualified archaeologist. The study should comply with P.R.C. section 21083.2 and CEQA Guidelines section 15064.5(c); and, if federal funding or permits are required, NHPA section 106. The study should consist of the following elements:

- a records search at the appropriate Information Center of the California Historical Resources Information System;
- contact with the Native American Heritage Commission (NAHC) to search their sacred lands database and provide a list of potentially interested Native American representatives;
- contact with Native American representatives;
- necessary background, archival and historic research;
- a pedestrian survey, unless it is not recommended by the Information Center, which will include locating previous sites and conducting a systematic survey of the area for previously unrecorded sites; and
- site records on appropriate Department of Parks and Recreation 523 forms, when sites are located.

These elements should be compiled into an Archaeological Survey Report that should be submitted to the appropriate Information Center and should also be used for SHPO consultation if the project is subject to NHPA section 106.

If no archaeological resources are identified in the Archaeological Survey Report, then mitigation is complete, and there is no impact to archaeological resources for the project. The impact would be less than significant (LS).

If the archaeological survey and/or the records search indicate that unique archaeological resources, as defined (Pub. Resources Code, § 21083.2(g).), are located in the specific project area, mitigation measures shall be identified including avoidance through project redesign, data recovery excavation, and/or public interpretation of the resource.

If an archaeological resource is determined to be neither unique nor historical, and the determination and potential impacts are adequately documented, the effects of on those resources is less than significant (LS) (CEQA Guidelines, § 15064.5(c)(4).).

If archaeological materials are inadvertently discovered during construction, work should stop within 100 feet of the find. If avoidance is not feasible, a qualified archaeologist familiar with the local conditions should recommend further work necessary to determine importance in accordance with applicable local, state, and federal guidelines. If the archaeological resource is determined to be important under federal, state, or local guidelines, treatment measures should be developed consistent with its status as either an historical resource or unique archaeological resource as described above (see also Mitigation Measures CR-1 and CR-3).

Mitigation Measure CR-3: Reduce Visibility or Accessibility of Archaeological Resources.

The implementing agency should determine whether or not implementation of a project will put an archaeological site in danger of damage via illicit collecting. If so, the implementing agency should take measures to reduce the visibility or accessibility of the archaeological resource to the public. Visibility of the resource can be reduced through the use of decorative walls or vegetation. Accessibility can be reduced by installing fencing or vegetation, particularly unwelcoming vegetation, such as poison oak or blackberry bushes. It is important to avoid creating an attractive nuisance when protecting sites. Conspicuous walls or signs indicating that an area is restricted may result in more attempts to access the area.

Conclusions

The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measures CR-2 and CR-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?⁷

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction impacts related to paleontological resources were analyzed in Impact 6.5-5 of the 2030 General Plan Master EIR. The analysis of Impact 6.5-5 determined that earthmoving activities in fossil-bearing rock formations have the potential to damage or destroy paleontological resources that may be present below the ground surface. Therefore, any earthmoving activities in the city could damage or destroy fossils in these rock units. The 2030 General Plan Master EIR determined that the 2030 General Plan contains policies to address these potential impacts on paleontological resources. Specifically, Policy HCR 2.1.15, which the City interpreted to address both cultural and paleontological resources, requires that the City develop or ensure compliance with protocols that protect or mitigate impacts on archaeological, historic, and cultural resources, including prehistoric resources. Because the surficial deposits in the city consist of Holocene-age rock formations that are not paleontologically sensitive, and because Policy HCR 2.1.15 was considered to address paleontological resources, the

⁷ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

2030 General Plan Master EIR found that impacts on paleontological resources would be less than significant. The 2030 General Plan Master EIR identified no operational impacts related to paleontological resources.

Construction impacts related to paleontological resources were analyzed in Impact CR-3 of the MTP/SCS Program EIR. The analysis of Impact CR-3 determined that any construction in geologic units that are sensitive for paleontological resources could result in the damage or destruction of paleontological resources. Therefore, the potential impacts of construction and ongoing operations associated with implementation of projects in the MTP/SCS have the potential to cause significant impacts on paleontological resources. The analysis concluded that the implementing agency should adopt Mitigation Measure CR-4 to protect paleontological resources. The requirements of Mitigation Measure CR-4, which include a site-specific paleontological analysis and impact assessment, have been performed as part of this analysis and are contained in this section. The MTP/SCS Program EIR identified no operational impacts related to paleontological resources, but found that construction related impacts would remain significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure CR-4: Conduct Project-Specific Paleontological Resource Studies and Identify and Implement Mitigation.

As part of planning, design and engineering of projects that result from the MTP/SCS, the implementing agency should ensure that paleontological resources are identified and appropriately mitigated. If a project is located within an area of high or moderate paleontological resource sensitivity or near a known unique geological feature, and would remove at least 2,500 cubic yards of soil from a previously unearthed area, the implementing agency should retain a qualified paleontologist prior to construction to evaluate sensitivity for unique paleontological resources in their project area. When a project has been identified as potentially affecting a unique paleontological resource, a paleontological resources assessment should be prepared. This study should comply with standards in the industry such as the Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Nonrenewable Paleontological Resources [published by the Society of Vertebrate Paleontology]. Any area of known unique paleontological resources should be avoided during construction when feasible.

The implementing agency should establish construction protocols to ensure that contractors take appropriate measures to avoid destroying fossil materials discovered during construction.

If unique paleontological resources are discovered during construction and/or avoidance is not feasible, the property owner should be encouraged to allow excavation, identification, cataloging and/or other documentation by a qualified paleontologist. The property owner should be further encouraged to donate the resource to a local agency, state university, or other applicable institution, for curation and display for public education purposes.

Conclusion

Although the 2030 General Plan Master EIR concluded that this impact would be less than significant, the MTP/SCS Program EIR found that even after implementation of Mitigation Measure CR-4, the impact would be potentially significant and unavoidable. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with disturbance of human remains were analyzed in Impact 6.4-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.4-2 determined that the city of Sacramento and the surrounding area have had a long cultural history and are known to have been occupied by Native American groups for thousands of years before settlement by non-Native peoples. Human burials have been found throughout the city, and human burials outside of formal cemeteries often occur in prehistoric contexts. The analysis determined that human burials, in addition to being potential archaeological resources, have specific provisions for treatment in PRC Section 5097. The analysis determined that the California Health and Safety Code (Sections 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains; protect them from disturbance, vandalism, or destruction; and establish procedures to be implemented if Native American skeletal remains are discovered. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and establishes the NAHC to resolve any related disputes.

The analysis determined that 2030 General Plan Policies HCR 2.1.2 and HCR 2.1.15 would protect human burials by requiring compliance with laws, regulations, and protocols that protect or mitigate impacts on human remains. However, the analysis concluded that no feasible mitigation measures beyond what the 2030 General Plan policies require are available to ensure that no human remains are damaged or destroyed. Therefore, the 2030 General Plan Master EIR concluded that the impact would be significant and unavoidable.

Construction and operational impacts associated with disturbance of human remains were analyzed in Impact CR-4 of the MTP/SCS Program EIR. The analysis of Impact CR-4 determined that impacts on human remains are limited to construction and no operational impacts are expected. The analysis determined that burial sites are distinguished from cultural and paleontological resources because they apply only to those sites containing human remains. The analysis determined that compliance with Section 7050.5 of the California Health and Safety Code would ensure the proper treatment and disposition of human remains.

Conclusions

Although the MTP/SCS Program EIR concluded that this impact would be less than significant, the 2030 General Plan Master EIR found that the impact would be potentially significant and unavoidable. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issue a), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

B) Directly or indirectly destroy a unique paleontological resource?

For the response to City of Sacramento Environmental Checklist Question B), see State CEQA Guidelines Appendix G Environmental Issue c), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR.

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3.6 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Geology and Soils. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>City of Sacramento Environmental Checklist Question</i>				
A) Allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.1 ENVIRONMENTAL SETTING

A review of U.S. Natural Resources Conservation Service (NRCS) soil survey data (NRCS 2013) indicates that the project site soils have been classified as “urban land.” NRCS does not provide ratings

for this soil type. A review of historic maps of the city of Sacramento shows that the project site was developed with established streets around and through the site by 1854. In response to floods that occurred in 1861 and 1862, the residents of Sacramento elected to raise the city street grades by 8–10 feet, which entailed converting the ground floors of many businesses into basements. The earth was moved from locations near the confluence of the American and Sacramento Rivers and used to raise city blocks beginning in 1868. Streets east of the Sacramento River to about 12th Street were raised. A U.S. Geological Survey topographic map published in 1901 shows the project site at an elevation of 21 feet above mean sea level. Because of the site’s proximity to the Sacramento River, groundwater levels at the project site should be expected to fluctuate.

The Sacramento Valley has generally not been seismically active. Faults with evidence of activity during the last 11,700 years (i.e., “active” faults) are generally located in the Coast Ranges to the west or near Lake Tahoe to the east. The few notable exceptions consist of the Dunnigan Hills Fault, located approximately 23 miles northwest of the project site, and the Cleveland Hills Fault, located near Lake Oroville approximately 59 miles northeast of the project site (Jennings 1994). However, research conducted by the California Department of Water Resources indicates that the magnitude 5.7 earthquake that occurred on August 1, 1975, along the Cleveland Hills Fault most likely resulted from reservoir-induced stress (DWR 1989).

Soil liquefaction occurs when ground shaking from an earthquake causes a sediment layer saturated with groundwater to lose strength and take on the characteristics of a fluid, thus becoming similar to quicksand. Factors determining the liquefaction potential are soil type, the level and duration of seismic ground motions, the type and consistency of soils, and the depth to groundwater. The loss of soil strength can result in bearing capacity insufficient to support foundation loads, increased lateral pressure on retaining or basement walls, and slope instability. Liquefaction-induced settlement could be on the order of several inches or more for the code-prescribed Maximum Considered Earthquake. Liquefaction of soils could also induce down-drag on the pilings that would be installed for the proposed high-rise buildings on the project site.

3.6.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:⁸**
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with surface fault rupture were analyzed in Impact 6.5-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.5-1 determined that because no

⁸ This environmental issue and its subissues address the question set forth in City of Sacramento Environmental Checklist Question A.

Alquist-Priolo Fault Zone or any other known fault is located either within or adjacent to the city, no impact related to surface fault rupture would occur.

Construction and operational impacts associated with surface fault rupture were analyzed in Impact GEO-1a of the MTP/SCS Program EIR. The analysis of Impact GEO-1a found that the risk of surface fault rupture for future development would be less than significant because of the scarcity of active faults in the region.

Conclusions

The closest fault zoned under the Alquist-Priolo Fault Zone Act is the Green Valley Fault, approximately 42 miles southwest of the project site (CGS 2012). No known faults pass through or are adjacent to the project site. Therefore, surface fault rupture is unlikely to occur. Additionally, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - ii) **Strong seismic ground shaking**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with strong seismic ground shaking and liquefaction were analyzed in Impact 6.5-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.5-1 determined that strong seismic ground shaking on active regional faults, as well as liquefaction (depending on the soil type), could cause damage to buildings, roads, and infrastructure. However, the analysis found that all projects are required by law to design and construct new development in accordance with the California Building Standards Code (CBC). The provisions contained in the CBC have been specifically designed to reduce the risk to people and structures from seismic hazards. Furthermore, 2030 General Plan Policies EC 1.1.1 and EC 1.1.2 would help to reduce impacts from seismic events because the City would review and enforce seismic and geologic safety standards and would require geotechnical investigations to ensure appropriate facility design. Therefore, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Construction and operational impacts associated with strong seismic ground shaking and liquefaction were analyzed in Impacts GEO-1b and GEO-1c of the MTP/SCS Program EIR. The analyses of Impacts GEO-1b and GEO-1c found that although there could be risks from strong seismic ground shaking and liquefaction (depending on the site-specific soil type), all new development is required by law to comply with the CBC and local building codes, which incorporate design standards to reduce seismic effects. Therefore, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

iii) Seismic-related ground failure, including liquefaction

See Environmental Issue a), ii). Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

iv) Landslides

Because the city of Sacramento is located in a flat area where landslides do not represent a hazard, the 2030 General Plan Master EIR did not evaluate landslide hazards impacts. **No impact** would occur. This topic will not be evaluated further in the EIR.

b) Result in substantial soil erosion or the loss of topsoil

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with soil erosion were analyzed in Impact 6.5-3 of the 2030 General Plan Master EIR.

The analysis of Impact 6.5-3 determined that grading and excavation, trenching, and construction of new stormwater facilities would result in alterations to existing drainage topography and the addition of new impervious surfaces. The analysis found that alteration of topographic features could lead to increased erosion by creating unstable rock or soil surfaces, by changing the permeability or runoff characteristics of the soil, or by modifying or creating new pathways for drainage. The analysis also found that because much of the city is relatively flat and the locations of projects that would substantially alter topography are limited, geotechnical effects related to erosion would be minimal. However, because the specific geotechnical characteristics of each project site can vary considerably, each project within the Sacramento city limits would be required to prepare a site-specific geotechnical investigation that would evaluate each site and recommend measures to prevent erosion as appropriate.

All projects must comply with the City of Sacramento Grading Ordinance (Sacramento City Code Chapter 15.88), which requires that an erosion and sediment control plan be prepared for each project. Furthermore, 2030 General Plan Policy EC 1.1.2 requires that each project within the city limits prepare

a geotechnical investigation to determine site-specific seismic and soil characteristics and recommend appropriate measures to reduce any potential adverse effects. Policy ER 1.1.7 requires that necessary erosion control measures be used during site development activities for all projects in the city. Therefore, the 2030 General Plan Master EIR found that geotechnical impacts associated with soil erosion would be less than significant.

Construction and operational impacts associated with soil erosion were analyzed in Impacts GEO-2 and GEO-6 of the MTP/SCS Program EIR.

The analyses of Impacts GEO-2 and GEO-6 found that new project construction and operation could result in increased runoff, wind and water erosion, sedimentation, and soil compaction. The analyses also found that all major earthwork requires a grading permit, to minimize erosion, in compliance with local building codes. Furthermore, new development and uses may be subject to compliance with a National Pollutant Discharge Elimination System (NPDES) permit, including the implementation of best management practices (BMPs) that are specifically designed to reduce soil erosion or loss of topsoil. The analysis concluded that in light of the regional nature of the MTP/SCS program, it was unknown whether implementing state and local controls and measures would reduce soil erosion or the loss of topsoil to a less-than-significant level. However, the MTP/SCS Program EIR concluded that if local jurisdictions adopt and implement Mitigation Measure GEO-1, "Reduce Soil Erosion and Loss of Topsoil Through Erosion Control Mitigation and SWPPP," impacts from soil erosion and loss of topsoil would be reduced to a less-than-significant level.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure GEO-1: Reduce Soil Erosion and Loss of Topsoil Through Erosion Control Mitigation and SWPPP.

The implementing agency should require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.

If a local grading, erosion, and/or sediment control ordinance or other applicable plans or regulations do not exist, the jurisdiction should adopt ordinances substantially addressing the foregoing features and apply those ordinances to new development projects.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the

impact of the proposed project with respect to this issue would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**⁹
- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?**¹⁰

SACRAMENTO 2030 GENERAL PLAN MASTER EIR AND MTP/SCS PROGRAM EIR

Construction and operational impacts associated with unstable and expansive soils were analyzed in Impact 6.5-2 of the 2030 General Plan Master EIR.

The analysis of Impact 6.5-2 determined that new structures and facilities could be exposed to geologic hazards associated with unstable soil conditions such as expansive soils and subsidence. The analysis found that subsidence has been observed in the city (specifically in downtown Sacramento near Interstate 5), and that subsidence or settlement may also occur locally over smaller areas near construction dewatering activities. The analysis also found that as part of the construction permitting process, the City requires completed reports of soil conditions at the specific construction sites to identify potentially unsuitable soil conditions including liquefaction, settlement, subsidence, lateral spreading, and collapse. The City requires that these evaluations be conducted by registered soil professionals and incorporate measures to eliminate unstable soil conditions. Furthermore, the design of foundations and excavation-wall support must conform to the requirements contained in the CBC. 2030 General Plan Policy EC 1.1.2 requires that each project within the city limits prepare a geotechnical investigation to determine site-specific soil characteristics and recommend appropriate measures to reduce any potential adverse effects. 2030 General Plan Policy EC 1.1.1 requires the City to review proposed development to ensure that appropriate design and operational practices would be implemented. In consideration of the above policies and requirements, the 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts associated with unstable and expansive soils were analyzed in Impacts GEO-3 and GEO-4 of the MTP/SCS Program EIR. The analysis of Impact GEO-3 found that new development in the region could be located on geologic units or soils that are unstable, or that could become unstable and result in geologic hazards. The analysis of Impact GEO-4 of the MTP/SCS Program EIR found that new development in the region could be located on expansive soils. However, the analysis found that the effects of expansive and unstable soils are generally addressed through the integration of geotechnical information in the planning and design process, and compliance with the CBC and local building codes and ordinances. Therefore, the MTP/SCS Program EIR concluded that this impact would be less than significant.

⁹ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

¹⁰ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in less-than-significant impacts with respect to these issues. However, these issues will be evaluated further in the EIR.e)

Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. As described in Chapter 2, "Project Description," sewer service for the project would be provided through the City's combined sewer system and flows would be conveyed to the Sacramento Regional Wastewater Treatment Plant for treatment. **No impact** would occur. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTION

A) Allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issues a) i) through iv) and Issues c) and d), above. For the reasons described above, it is anticipated that the proposed project would result in **less-than-significant** impacts with respect to these issues. However, these issues will be evaluated further in the EIR.

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3.7 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.7.1 ENVIRONMENTAL SETTING

Greenhouse gases (GHGs) play a critical role in determining the earth’s surface temperature. A portion of the solar radiation that enters the earth’s atmosphere is absorbed by the earth’s surface, and a smaller portion of this radiation is reflected back toward space. This infrared radiation (i.e., thermal heat) is absorbed by GHGs within the earth’s atmosphere. As a result, infrared radiation released from the earth that otherwise would have escaped back into space is instead “trapped,” resulting in a warming of the atmosphere. This phenomenon, known as the “greenhouse effect,” is responsible for maintaining a habitable climate on the earth.

GHGs are present in the atmosphere naturally, are released by natural and anthropogenic (human-caused) sources, and are formed from secondary reactions taking place in the atmosphere. Natural sources of GHGs include the respiration of humans, animals and plants; decomposition of organic matter; and evaporation from the oceans. Anthropogenic sources include the combustion of fossil fuels, waste treatment, and agricultural processes. The following GHGs are widely accepted as the principal contributors to human-induced global climate change:

- ▶ carbon dioxide,
- ▶ methane,
- ▶ nitrous oxide,
- ▶ hydrofluorocarbons,
- ▶ perfluorocarbons,
- ▶ sulfur hexafluoride, and
- ▶ nitrogen trifluoride.¹¹

GHG emissions related to human activities have been determined to be highly likely responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth’s atmosphere and oceans, with corresponding effects on global circulation patterns and climate (IPCC 2007). Similarly, impacts of GHGs are borne globally, as opposed to the more localized air quality effects of criteria air pollutants and toxic air contaminants. The quantity of GHGs that it takes to

¹¹ Nitrogen trifluoride is recognized by the State of California as a GHG (California Health and Safety Code, Section 38505[g]).

ultimately result in climate change is not precisely known; however, no single project alone is expected to measurably contribute to a noticeable incremental change in the global average temperature or to a global climate, local climate, or microclimate.

3.7.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR estimated construction emissions based on the land uses projected as part of the 2030 General Plan. Construction activities were estimated to increase GHG emissions by 27 tons of carbon dioxide equivalent (CO₂e) per day.

Impacts associated with energy consumption and GHG emissions during construction activities were analyzed in Impact ENE-8 of the MTP/SCS Program EIR. The analysis considered whether construction projects would be implemented in a manner that is not consistent with the GHG emissions reduction goals set forth in Assembly Bill (AB) 32, the Global Warming Solutions Act. Population and employment growth in the adopted MTP/SCS requires the development of new residential, commercial, industrial, and public uses, as well as the construction of new and expansion of existing roads, rail, and other related transportation projects.

The 2030 General Plan Master EIR also included a quantitative analysis of GHG emissions for areawide sources (e.g., hearths, landscaping equipment, natural gas for heating), mobile sources, electricity, solid waste, wastewater treatment, and municipal operations. The 2030 General Plan Master EIR estimated a net increase of 4,832 tons CO₂e per day. The 2030 General Plan contains several goals and policies and implementation programs designed to reduce emissions through land use and transportation planning, energy efficiency measures, air quality emission standards, and water conservation programs. The 2030 General Plan Master EIR analyzed GHG emissions for informational purposes only. Therefore, the 2030 General Plan Master EIR did not reach an impact conclusion for this issue.

Impacts associated with energy consumption and GHG emissions during operational activities were analyzed in Impacts ENE-5, ENE-6, and CUM-7 of the MTP/SCS Program EIR. Impact ENE-5 found that implementation of the MTP/SCS would be an integral part of achieving the GHG reduction goals of AB 32 in the Sacramento Area Council of Governments (SACOG) region. The analysis measured GHG emissions from transportation, electricity generation, residential and commercial uses, industrial operations, and agricultural and forestry lands in 2008, 2020, and 2035. With implementation of the MTP/SCS and the measures in the California Air Resources Board's (ARB's) *Climate Change Scoping Plan* (Scoping Plan), the estimated emissions for 2020 were forecasted to be 17.34 million metric tons (MMT) CO₂e, or 12% below the AB 32 goal of 19.36 MMT CO₂e by 2020. The MTP/SCS also evaluated the per-capita GHG emissions for the region. GHG emissions were estimated to be 10.28 MMT CO₂e per 1 million people in 2008. With implementation of the MTP/SCS, GHG emissions would drop to 6.88

MMT CO₂e per 1 million people in 2020. The MTP/SCS Program EIR concluded that the impact was less than significant, except in Rural Residential Communities.

Conclusions

In addition to construction emissions, direct area-source emissions would be associated with activities such as maintenance of landscaping and grounds and natural gas combustion for space and water heating. Direct mobile-source emissions of GHGs would include vehicle trips by residents, workers, and visitors to on-site retail uses. However, pursuant to California Public Resources Code Section 21159.28, this initial study and the EIR to be prepared for the proposed project are not required to reference, describe, or discuss growth-inducing impacts or any project-specific or cumulative impacts on global warming or the regional transportation network from automobile and light-duty truck trips generated by the project. The primary indirect emission source associated with the proposed project would be electricity consumption. Solid waste disposal and wastewater treatment from residential uses would also result in indirect, off-site emissions of GHGs. Water consumption would also result in indirect GHG emissions because of the electricity consumption (and GHG emissions) associated with the off-site conveyance, distribution, and treatment of water and wastewater.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR included a qualitative analysis that compared the policies in the 2030 General Plan with statewide GHG reduction strategies recommended by the Climate Action Team and the Office of the Attorney General. The list of policies and programs includes measures that address several elements of the 2030 General Plan. Policy ER 6.1.9 requires the City to reduce GHG emissions from new development by discouraging auto-dependent sprawl and dependence on the private automobile; promoting development that is compact, mixed-use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the jobs/housing ratio of each community.

Impacts associated with consistency with GHG reduction plans were analyzed in Impact ENE-7 of the MTP/SCS Program EIR. In the development of the MTP/SCS, SACOG considered local plans that included targets for GHG reductions and made efforts to address policies within the plans. Although the MTP/SCS is consistent with the goals of AB 32 (Impact ENE-5) and Senate Bill (SB) 375 (Impact ENE-6), it is the local jurisdictions that have authority to determine whether projects are consistent with local plans. The MTP/SCS does not address all of the local reduction measures, goals, and GHG targets from areas within its jurisdiction. However, the MTP/SCS outlines a growth strategy of dense, compact development combined with an efficient and diversified transportation network for its planning areas. In

summary, the MTP/SCS EIR determined that the impacts on local GHG reduction plans from implementation of the MTP/SCS would be less than significant.

Conclusions

ARB's Scoping Plan includes measures that would indirectly address GHG emissions levels associated with construction activities. Policies formulated under the mandate of AB 32 that apply to construction-related activities are assumed to be implemented during project construction. Additionally, the City's Construction and Demolition Ordinance requires that a minimum 50% of construction wastes generated by the demolition and remodeling of buildings be recycled or reused.

In 2012, the City approved a climate action plan outlining initiatives to help the City achieve its overall goals of reducing communitywide emissions by 15% below 2005 levels by 2020, 38% below 2005 levels by 2030, and 83% below 2005 levels by 2050 (City of Sacramento 2012).

In consideration of these plans and requirements and because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to GHG emissions.

3.8 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Hazards and Hazardous Materials. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.8.1 ENVIRONMENTAL SETTING

HAZARDOUS MATERIALS

Union Pacific Railyards Contaminated Groundwater Plume

The eastern portion of the project site is underlain by the South Plume Study Area contaminated groundwater plume emanating from the former Union Pacific Railyards, located approximately 0.42 mile to the north. The groundwater is contaminated with solvents (i.e., volatile organic compounds such as 1,4-dioxane), metals, and petroleum hydrocarbons. The groundwater under the project site is contaminated with 1,4-dioxane and has been identified within a “lower sand and gravel zone.”

A system of 12 groundwater extraction and treatment wells has been installed and remediation of the contaminated groundwater plume is ongoing. An additional 168 groundwater monitoring wells have also been installed. Several of these monitoring wells are located in the immediate vicinity of the project site, in both 7th and P Streets.

Asbestos

“Asbestos” is a term applied to several types of naturally occurring fibrous materials found in rock formations throughout California (i.e., naturally occurring asbestos [NOA]). Asbestos is commonly found in ultramafic rock, including serpentine. Two forms of asbestos are associated with serpentine: chrysotile asbestos and tremolite/actinolite asbestos. Asbestos is designated as a hazardous substance when the fibers have the potential to come in contact with air because the fibers are small enough to lodge in lung tissue and cause health problems. The presence of asbestos-containing materials (ACMs) in existing buildings also poses an inhalation threat if the ACMs are in a friable state. If the ACMs are not friable, then there is no inhalation hazard because asbestos fibers remain bound in the material matrix. Emissions of asbestos fiber to the ambient air can occur during activities such as renovation or demolition of structures made with ACMs (e.g., insulation), or from grading activities that disturb rock containing NOA. People exposed to asbestos may be at elevated risk for lung cancer and mesothelioma.

NOA is found in ultramafic rocks, which are generally located in discontinuous belts in the Sierra Nevada and the Coast Ranges. The project site is underlain by artificial fill and by Holocene- and Pleistocene-age sand, silt, and gravel. These types of rocks do not contain NOA.

ACMs are present in materials such as acoustical ceiling material, joint compound, pipe and water tank insulation material, fire door insulation, drywall/joint compound, and window putty. Floor finishes and roofing materials may also contain ACMs.

Lead-Based Paint

The use of lead as an additive to paint was discontinued in 1978 because human exposure to lead was determined by the U.S. Environmental Protection Agency (EPA) and the U.S. Occupational Health and Safety Administration (OSHA) to represent a human health risk, particularly to young children. Adverse human health effects can occur from ingestion of peeling paint chips (primarily by young children) and inhalation of paint dust (when lead-based paint is scraped, sanded, or heated during repair or demolition activities).

Underground Storage Tanks

One underground storage tank (UST) was installed on May 17, 1991, under a permit issued by the Sacramento County Environmental Management Department (SCEMD). The UST was located approximately 40 feet southeast of the existing Capitol Towers building, and it formerly supplied fuel to the heating system for that building, which now uses natural gas. Soil was tested for contamination at the time of removal; based on the low levels of total petroleum hydrocarbons (TPHs) detected, SCEMD issued a case closure letter on December 10, 1991.

The former parking lot in the northeast corner of the project site had fueling service and likely contained USTs. The parking lot with fueling service appears to have only been in operation during the 1950s, just before the construction of the current Capitol Towers and Villas buildings. This former facility has not been found on any databases that report releases or contamination conditions.

Hydraulic Oil Spill

Records indicate that approximately 7 gallons of hydraulic oil leaked to the soil from the elevator in the parking garage on-site in 1992. Wallace-Kuhl and Associates, Inc. (WKA) removed discolored/contaminated soil associated with the leak in 1993. WKA also performed a site assessment in 1993 to determine the vertical and lateral extent of the contamination. No TPHs were detected in any of the soil samples or the groundwater sample. Nevertheless, SCEMD subsequently requested quarterly monitoring of the on-site groundwater monitoring well. Groundwater sampling was performed during four quarters, between February 1994 and November 1994. No TPHs were detected in any of the quarterly sampling events. Based on these results, a case closure letter was issued by SCEMD on January 18, 1995. The monitoring well was abandoned on March 2, 1995.

SCHOOLS IN THE PROJECT VICINITY

No K-12 schools are located within 0.25 mile of the project site.

AIRPORTS AND AIRSTRIPS

The closest airport to the project site is the Sacramento Executive Airport, located approximately 4 miles to the south. The project site is not located in the clear zone, approach-departure zone, or overflight zone of any airport. There are no private airstrips within 2 miles of the project site.

WILDLAND FIRE HAZARDS

The project site is located in the highly developed, urbanized area of downtown Sacramento. There are no wildlands in the project vicinity that would represent a high fire hazard.

3.8.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with the transport, use, and disposal of hazardous materials and accidental spills of hazardous materials were analyzed in Impact 6.6-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-2 determined that hazards from routine transport, use, or disposal of hazardous materials and accidental upset conditions could occur. However, 2030 General Plan Policy PHS 3.1.5 encourages clean industries within the city while also discouraging businesses that require on-site treatment of solid waste, and Policy PHS 3.1.6 ensures that future development of hazardous waste treatment, storage, and disposal facilities are consistent with Sacramento County's Hazardous Waste Management Plan and compatible with nearby land uses. The analysis of Impact 6.6-2 also determined that the transportation of hazardous materials is subject to numerous applicable local, state, and federal regulations, the intent of which is to minimize the risk of upset during routine operations. In addition, 2030 General Plan Policy PHS 3.1.4 restricts transportation of hazardous materials to designated routes within the city to protect public safety. For these reasons, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Construction and operational impacts associated with transport, use, and disposal of hazardous materials and accidental upset conditions were analyzed in Impacts HAZ-1, HAZ-2a, and HAZ-9 of the MTP/SCS Program EIR. The analyses of Impacts HAZ-1 and HAZ-9 found that routine transport, use, or disposal of hazardous materials poses a risk to residents within the project area by trucks, rail, and other modes that are shared with the public and have the potential to be involved in an accident during project construction and operations. However, the analyses found that operation of businesses that use, create, or dispose of hazardous materials is heavily regulated and monitored by federal, state, and local regulations and policies to provide a high level of protection to the public and the environment. Therefore, the MTP/SCS Program EIR determined that the impacts from routine transport, use, or disposal of hazardous materials would be less than significant.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

See Environmental Issue a) above. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR did not evaluate impacts in this category.

Construction and operational impacts associated with emission of hazardous materials with 0.25 mile of a school were analyzed in Impacts HAZ-3 and HAZ-9 of the MTP/SCS Program EIR. The analyses of Impacts HAZ-3 and HAZ-9 found that construction and operation of new regional development would increase the potential for hazardous emissions or handling of hazardous substances or waste within 0.25 mile of existing or proposed schools. However, the analyses found that disposal of hazardous materials is heavily regulated and monitored by federal, state, and local regulations and policies to provide a high level of protection to the public and the environment. Therefore, the MTP/SCS Program EIR concluded that the impact would be less than significant.

Conclusions

No existing or proposed K-12 schools are located within 0.25 mile of the project site.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with sites listed under Government Code Section 65962.5 (i.e., the Cortese List) were analyzed in Impact 6.6-1 of the 2030 General Plan Master EIR.

The analysis of Impact 6.6-1 determined that if contaminated soil were to be discovered or encountered during construction activities, including locations that are part of the Cortese List, such contamination could cause various short-term or long-term adverse health effects in persons exposed to the hazardous substances. However, the 2030 General Plan Master EIR also noted that 2030 General Plan Policy PHS 3.1.1 requires that buildings and sites under consideration for new development or redevelopment be investigated for the presence of hazardous materials before development activities. Similarly, Policy PHS 3.1.2 requires that property owners of contaminated sites develop plans to investigate and manage hazardous material contamination to prevent risk to human health or the environment. In addition, when any contamination is identified, a remediation plan prepared pursuant to Section 25401.05(a)(1) of the California Health and Safety Code and approved by the appropriate agency or authority must be implemented at the site. Therefore, the 2030 General Plan Master EIR determined that the impact related to potential exposure to contaminated soil during construction activities would be less than significant.

Construction and operational impacts associated with sites listed under Government Code Section 65962.5 were analyzed in Impacts HAZ-2b, HAZ-3, HAZ-4, and HAZ-9 of the MTP/SCS Program EIR. The analysis of Impact HAZ-2b found that depending on the site-specific locations of future projects, new development could disturb NOA and release asbestos fibers into the environment if such projects were constructed in ultramafic rock formations. The MTP/SCS Program EIR proposed Mitigation Measure HAZ-1 to mitigate the potential for disturbance of asbestos in soils known to contain asbestos. The MTP/SCS Program EIR found that through implementation of applicable mitigation measures included in the MTP/SCS Program EIR, these impacts would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure HAZ-2: Determine if Project Sites are Included on a Government List of Hazardous Materials Sites Pursuant to Government Code Section 65962.5.

The implementing agency should determine whether specific project sites are listed on government lists of hazardous materials and/or waste sites compiled pursuant to Government Code Section 65962.5. Implementing agencies should require preparation of a Phase I ESA [Environmental Site Assessment] that meets ASTM standards for any listed sites or sites with the potential of residual hazardous materials and/or waste as a result of location and/or prior uses. Implementing agencies should require that recommendations of the Phase I ESA be fully implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency should require a Phase II ESA, and recommendations of the Phase II ESA should be fully implemented.

Conclusions

The project site is located in rock formations that do not contain NOA. Therefore, Mitigation Measure HAZ-1 from the MTP/SCS Program EIR is not applicable. However, the proposed project would entail demolishing on-site buildings that contain insulation and other materials composed of asbestos, and that may contain lead-based paint.

The eastern portion of the project site is underlain by a contaminated groundwater plume emanating from the former Union Pacific Railyards property approximately 0.42 mile to the north. The plume contains 1,4-dioxane (a commercial solvent) approximately 25 feet below ground surface. The City's municipal water supplies are not affected by this plume. However, because of the anticipated shallow depth to groundwater, construction dewatering activities may be required. Thus, the potential exists for construction workers and residential and business communities to come into contact with contaminated soil and/or groundwater.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan and would implement Mitigation Measure HAZ-2, it is anticipated that the impact of the proposed project with respect to this issue would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with airport safety hazards were analyzed in Impact 6.6-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-2 determined that air traffic in the city is subject to many stringent regulations, enforced by agencies such as the Federal Aviation Administration and California Department of Transportation, to protect the public from potential aircraft hazards or other safety concerns. In the unlikely event of an aircraft crash, the City's Multi-Hazard Emergency Plan contains strategies to help plan for disaster events in the city, including a major transportation incident such as an aircraft crash. Therefore, the 2030 General Plan Master EIR found that impacts associated with airport safety hazards would be less than significant.

Construction and operational impacts associated with airport safety hazards were analyzed in Impacts HAZ-5 and HAZ-6 of the MTP/SCS Program EIR. The analysis of Impacts HAZ-5 and HAZ-6 found that projects near public airports and private airstrips could result in safety hazards. However, the MTP/SCS Program EIR concluded that through compliance with state and federal laws, the impact would be less than significant.

Conclusions

The project site is located 4 miles from the nearest public airport or private airstrip, and Federal Aviation Administration regulations dictate the types of warning lights and beacons that must be placed on high-rise buildings. **No impact** would occur. This topic will not be evaluated further in the EIR.

- f) **For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?**

See Environmental Issue e) above. **No impact** would occur. This topic will not be evaluated further in the EIR.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction impacts from interference with emergency access or evacuation routes were analyzed in Impact 6.6-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-1 determined that lane restrictions and road closures may be necessary during construction activities, but that Sections 12.20.020 and 12.20.030 of the Sacramento City Code require all development projects to prepare traffic control plans for construction activities. Therefore, the 2030 General Plan Master EIR found that compliance with the Sacramento City Code would ensure that the impact related to construction-related interference with emergency response vehicles would be less than significant. The 2030 General Plan Master EIR identified no operational impacts in this category.

Construction and operational impacts associated with interference with emergency access or evacuation plans were analyzed in Impacts HAZ-7 and HAZ-9 of the MTP/SCS Program EIR. The analyses of Impacts HAZ-7 and HAZ-9 found that future construction and operation of projects in the Center and Corridor Communities would consist primarily of infill in areas that are already developed and where emergency evacuation routes are already established. Emergency response and emergency evacuation plans are designed by the Office of Emergency Services for each county in the region to respond to a possible emergency situation (e.g., fires, floods, earthquakes). These plans provide a process for evacuating people from danger, and preventing or minimizing loss of life and property. Therefore, the MTP/SCS concluded that this impact would be less than significant within the Center and Corridor Communities and Sacramento County Transit Priority Area.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with wildland fires were analyzed in Impact 6.10-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.10-2 determined that Sacramento is a developed city with relatively few remaining wildland areas. Policies PHS 2.2.7 and PHS 2.2.8 require that the City work to inform the Sacramento Fire District to determine potential wildland risks and impose a method to increase fire prevention. In addition, Policy PHS 2.1.10 requires that the City work with other agencies to provide regional cooperative delivery of fire protection and emergency medical services.

In summary, the 2030 General Plan Master EIR found that impacts related to exposure of people to wildland fires would be less than significant, assuming implementation of 2030 General Plan Policies PHS 2.2.7, PHS 2.2.8, and PHS 2.1.10, which establish citywide policies intended to ensure public safety from wildland fires.

Construction and operational impacts associated with wildland fires were analyzed in Impact HAZ-8 of the MTP/SCS Program EIR. The analysis of Impact HAZ-8 found that development proposed under the MTP/SCS could pose a hazard from loss, injury, or death and damage to property if development would be located adjacent to wildlands or where residences are intermixed with wildlands. However, the MTP/SCS Program EIR concluded that with implementation of local, state and federal regulations and policies, the impact would be less than significant.

Conclusions

The project site is located in a heavily developed, urbanized area of downtown Sacramento where there are no wildland fire hazards. **No impact** would occur. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The MTP/SCS Program EIR did not directly analyze City of Sacramento Environmental Checklist questions. Construction and operational impacts associated with sites listed under Government Code Section 65962.5 (i.e., the Cortese List) were analyzed in Impact 6.6-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-1 determined that if contaminated soil were to be discovered or encountered during construction activities, including locations that are part of the Cortese List, such contamination could cause various short-term or long-term adverse health effects in persons exposed to the hazardous substances. However, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?

For the response to City of Sacramento Environmental Checklist Question B), see State CEQA Guidelines Appendix G Environmental Issue d) above. Because the proposed project is consistent with the general use designation, density, building

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3.9 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hydrology and Water Quality. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 ENVIRONMENTAL SETTING

SURFACE WATER

The City operates two different systems for stormwater collection and conveyance. The older Central City area is served by a system in which sanitary sewage and storm drainage are collected and conveyed in the same system of pipelines, referred to as the Combined Sewer System.

The 2008–2010 Section 303(d) List of Impaired Waters for California issued by the State Water Resources Control Board (SWRCB) (2011) indicates that the Sacramento River from Knights Landing to the Sacramento–San Joaquin Delta (Delta) is listed as impaired for chlordane, dichlorodiphenyltrichloroethane (DDT), dieldrin, mercury, polychlorinated biphenyls (PCBs), and unknown toxicity. The Sacramento River flows into the Delta, which is listed as impaired for chlordane, DDT, dieldrin, dioxin and furan compounds, invasive species, mercury, PCBs, and selenium.

The most recent Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, revised August 16, 2012, identifies the project site as being located in an area protected by levees from the 1%-annual-chance flood.

Hydrologic soil groups are factored into calculations of erosion potential when drainage plans are prepared. Group A soils generally exhibit a low runoff potential and Group B soils exhibit a low to medium runoff potential. Group C soils exhibit a medium to high runoff potential, while Group D soils have a high runoff potential. As described in detail in Section 3.6, “Geology and Soils,” the project site soils have been classified by the U.S. Natural Resources Conservation Service as “urban land,” and therefore, the soils have not been assigned to a hydrologic group.

GROUNDWATER

The project site is located in the Sacramento Central Groundwater Basin (Central Basin), which is located entirely within Sacramento County and is administered by the Sacramento Central Groundwater Authority. Groundwater underlying the Central Basin is contained within a shallow aquifer (Modesto Formation) and a deep aquifer (Mehrten Formation). Groundwater is located from 20 to 100

feet below ground surface, depending on the location and time of the measurement. Most of the project site is underlain by the south-area contaminated groundwater plume emanating from the former Union Pacific Railyards, located approximately 0.42 mile to the north.

3.9.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) Violate any water quality standards or waste discharge requirements?¹²**
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with violation of waste discharge requirements (WDRs) or substantial increases in erosion and siltation were analyzed in Impact 6.7-1 of the 2030 General Plan Master EIR. The 2030 General Plan Master EIR found that impacts from violation of WDRs or substantial erosion and siltation would be less than significant, assuming implementation of 2030 General Plan Policies ER 1.1.3, ER 1.1.4, ER 1.1.5, ER 1.1.6, and ER 1.1.7 and Policies U 4.1.1, U 4.1.4, and U 4.1.5.

Construction and operational impacts associated with violation of WDRs or substantial increases in erosion and siltation were analyzed in Impacts HYD-8 and HYD-2 in the MTP/SCS Program EIR. The MTP/SCS Program EIR concluded that because all projects are required by law to comply with state, regional, and local National Pollutant Discharge Elimination System (NPDES) permit requirements, impacts from violation of water quality standards or WDRs would be less than significant.

The analysis of Impact HYD-2 of the MTP/SCS Program EIR determined that new development may increase stormwater flows, resulting in increased volume and/or velocity and thereby raising the potential for substantial erosion or siltation. However, the analysis noted that all projects must comply with the NPDES Construction General Permit, which requires development of a storm water pollution prevention plan (SWPPP) with appropriate best management practices (BMPs) designed to control erosion and siltation. Furthermore, the Sacramento Stormwater Quality Partnership (SSQP) has developed the *Stormwater Quality Design Manual for Sacramento and South Placer Regions* (SSQP 2007) to reduce runoff and siltation. The SSQP *Hydromodification Management Plan* (SSQP 2013) also requires project proponents to maintain preconstruction hydrological conditions. These plans and manuals specify BMPs and additional regulations to reduce runoff, thereby reducing the likelihood of substantial erosion or siltation.

The analysis found that although the regulations discussed above would adequately control the potential for adverse impacts in most circumstances, projects in areas with high erosion potential may have impacts that would not be mitigated by existing regulations. The MTP/SCS Program EIR found

¹² This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

that, with implementation of Mitigation Measures HYD-1, HYD-2, and HYD-3, the impact related to substantial increases in on- or off-site erosion and siltation would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure HYD-1: Manage Stormwater Run-Off and Other Surface Drainage.

The implementing agency should require projects to direct stormwater run-off and other surface drainage into an adequate on-site system or into a municipal system with capacity to accept the project drainage. This should be demonstrated by requiring consistency with local stormwater drainage master plans or a project-specific drainage analysis satisfactory to the jurisdiction's engineer of record.

Mitigation Measure HYD-2: Use Best Management Practices to Treat Water Quality.

The implementing agency should require the use of BMPs or equivalent measures to treat water quality at on-site basins, prior to leaving the project site, and/or at the municipal system as necessary to achieve local or other applicable standards. This should be demonstrated by requiring consistency with local standards and practices for water quality control and management of erosion and sedimentation, and/or other applicable standards, including the CBC [California Building Standards Code] and UBC [Uniform Building Code] regulations and guidelines and/or local NPDES. Implementation of Mitigation Measure GEO-1 will also help mitigate this impact.

Mitigation Measure HYD-3: Implement Mitigation Measure GEO-1 (Reduce Soil Erosion and Loss of Topsoil through Erosion Control Mitigation and SWPPP).

The implementing agency should require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no impacts in this category.

Construction and operational impacts associated with substantial depletion of groundwater supplies or substantial interference with groundwater recharge were analyzed in Impact HYD-6 of the MTP/SCS Program EIR. The analysis of Impact HYD-6 found that because Center and Corridor Communities are already largely built out, most of the development in these areas will be redevelopment, infill, and intensification of existing land uses. Established communities are already largely built out, and development in these areas will be primarily infill and some intensification of existing land uses. These types of development usually do not rely on groundwater, but they may add additional impervious surfaces. The amount of new pavement and the extent to which it affects infiltration depends on the site-specific soil type. Projects located in urban areas would have less of an effect than projects converting open lands and spaces.

The analysis of Impact HYD-6 concluded that because local agencies have discretion over how they manage groundwater resources, implementation of the MTP/SCS at the regional level could exacerbate the potential for land subsidence associated with groundwater use. The MTP/SCS Program EIR included Mitigation Measure HYD-5 to ensure that local general plans demonstrate that adequate public utilities will be available for future growth, and Mitigation Measure HYD-6 to address subsidence issues in areas of existing or potential future land subsidence caused by groundwater pumping. The MTP/SCS Program EIR concluded that these impacts would be less than significant after implementation of Mitigation Measures HYD-5 and HYD-6.

Conclusions

Mitigation Measure HYD-5 directs local municipalities to address this issue within their general plans. Therefore, Mitigation Measure HYD-5 is not applicable to the proposed project. Mitigation Measure HYD-6 is not applicable to the proposed project because the project site is not located in an area of existing or potential future land subsidence as a result of groundwater pumping. The proposed project would entail redevelopment of an existing developed site that is primarily impervious surfaces. The proposed project is required to comply with the City's "Do No Harm" policy, which requires infill areas to fully mitigate any potential increase in flows leaving the project site. Very little groundwater recharge currently occurs at the project site, and the increase in impervious surface from the proposed project with the incorporation of Low Impact Development measures would not result in a significant change to existing groundwater recharge conditions. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with on- or off-site flooding were analyzed in Impact 6.7-3 of the 2030 General Plan Master EIR. The analysis of Impact 6.7-3 found that new development would increase the amount of impervious surfaces and would therefore increase the amount of surface water runoff. However, the analysis also found that 2030 General Plan Policy EC 2.1.6 would require new development to evaluate potential peak-flow flood hazards and prevent on- or off-site postproject flooding; Policy ER 1.1.5 would require that there be no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event; and Policy U 4.1.5 would require proponents of new development to submit drainage studies that adhere to City stormwater design requirements and incorporate measures to prevent on- or off-site flooding. Therefore, the 2030 General Plan Master EIR found that impacts from localized flooding as a result of surface water runoff would be less than significant.

Construction and operational impacts associated with on- or off-site flooding were analyzed in Impact HYD-2 of the MTP/SCS Program EIR. The analysis of Impact HYD-2 found that at the regional level, growth alone does not necessarily substantially alter the existing drainage pattern; rather, such alteration is site specific. The analysis found that proposed growth would not substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding because stormwater drainage infrastructure is required to have sufficient capacity to convey project-specific flows. Furthermore, as part of the NPDES Construction General Permit, project proponents must develop a stormwater maintenance plan with an erosion control plan and appropriate BMPs, including hydrologic and hydraulic calculations for storm drains, along with the installation of velocity control structures. Project proponents must also prepare a SWPPP. The MTP/SCS Program EIR concluded that the impact would be less than significant with implementation of Mitigation Measures HYD-1 through HYD-3.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure HYD-1: Manage Stormwater Run-Off and Other Surface Drainage.

Mitigation Measure HYD-2: Use Best Management Practices to Treat Water Quality.

Mitigation Measure HYD-3: Implement Mitigation Measure GEO-1 (Reduce Soil Erosion and Loss of Topsoil through Erosion Control Mitigation and SWPPP).

For the full text of the above-referenced mitigation measures, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issues a) and c), above.

Conclusions

The proposed project consists of redevelopment of an existing developed site. A network of on-site conveyance pipelines would carry the project’s stormwater drainage to the City’s existing separate storm drain system connections in N, P, and 7th Streets. The 2030 General Plan Master EIR determined that the City’s existing storm drain system has adequate conveyance for growth planned

through 2030. Additionally, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with additional sources of pollutants in stormwater runoff were analyzed in Impacts 6.7-2 and 6.11-3 of the 2030 General Plan Master EIR. 2030 General Plan Policies ER 1.1.3 through ER 1.1.7 include measures to reduce postconstruction increases in runoff rates, maintain agreements for selected on-site stormwater quality facilities through the development permit process, reduce the use of chemicals applied for landscape use, and provide recycling programs and facilities to prevent unauthorized dumping.

Construction and operational impacts associated with additional sources of pollutants in stormwater runoff were analyzed in Impacts HYD-1 and HYD-7 of the MTP/SCS Program EIR. The analysis of Impact HYD-1 found that new development would increase the amount of impervious surfaces, which would in turn increase the amounts of stormwater runoff and pollutants transported to receiving water bodies. The analysis also found that in portions of the region that are already built out, either the increases in stormwater runoff would be accommodated by existing infrastructure, or project proponents would be required to make infrastructure improvements by local ordinances and state regulations. The 2030 General Plan Master EIR concluded that these impacts would be less than significant.

The analysis of Impact HYD-7 in the MTP/SCS Program EIR found that several water bodies in the project region, including major rivers, creeks, and tributaries, have been identified under the CWA Section 303(d) list as being impaired by a variety of contaminants. To address impaired waters, the SWRCB has several permit processes for municipal stormwater and construction runoff. The MTP/SCS Program EIR concluded that this impact would be less than significant.

Conclusions

The proposed project consists of redevelopment of an existing developed site. Therefore, the amount of impervious surfaces would be similar to the amount under existing conditions, and the amount of surface water runoff that could carry pollutants into receiving water bodies such as the Sacramento River would also be similar to existing amounts of surface water runoff. The City's 2030 General Plan Master EIR found that redevelopment in the city would not exceed the capacity of existing or planned stormwater drainage systems. Moreover, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

f) Otherwise substantially degrade water quality?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The General Plan Master EIR identified no impacts in this category.

Construction and operational impacts associated with other means of substantial degradation of water quality were analyzed in Impact HYD-7 of the MTP/SCS Program EIR. The analysis of Impact HYD-7 determined that impacts from substantial degradation of water quality would be less than significant, as discussed previously under Environmental Issue e) above.

Conclusions

Because the proposed project is consistent with applicable policies in the MTP/SCS, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?¹³**
- h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?¹⁴**
- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?¹⁵**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with 100-year flood hazards and flooding from levee or dam failure were analyzed in Impact 6.7-4 of the 2030 General Plan Master EIR. Impact 6.7-4 found that new development would expose additional people and structures to hazards from 100-year-level flooding, and depending on the site-specific project location, to flooding from levee or dam failure. However, the analysis also found that 2030 General Plan Policy EC 2.1.5 requires the City to regulate development within floodplains to ensure the City's continued eligibility under the National Flood Insurance Program (NFIP), and that Policy EC 2.1.6 requires that potential flood hazards be evaluated before new building permits are issued. The 2030 General Plan Master EIR concluded that the impact would be less than significant with implementation of these policies.

The analysis of Impact HYD-3 in the MTP/SCS Program EIR found that although the majority of growth would take place outside flood hazard areas, placing new housing in flood hazard areas would be necessary because a sizable portion of the region's existing housing units is in these areas. Further, the projected growth pattern is consistent with the policies of the 2008 MTP and Sacramento Area Council of Governments (SACOG) Blueprint, which call for a more compact regional growth footprint, some of which is located within flood hazard areas.

¹³ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

¹⁴ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

¹⁵ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

Placing structures in flood zones can result in direct flooding of new development. In addition, structures that impede flood flows can cause a backwater effect by potentially raising flood levels, causing more severe flooding impacts on existing vulnerable areas, or exposing new areas that previously would not have flooded to new flooding impacts. Proponents of projects that would be located in flood hazard areas must avoid incompatible floodplain development designs, restore and preserve the natural and beneficial floodplain values, and maintain consistency with the standards and criteria of the NFIP. In addition, a Letter of Map Revision (LOMR) must be prepared and submitted to FEMA if construction would occur within a 100-year floodplain. The LOMR includes revised local base flood elevations for projects constructed within flood-prone areas.

Because some of the growth within the MTP/SCS plan area would occur within a floodplain, such growth could be vulnerable to flooding and cause floodplain encroachment, resulting in increased flood levels by the redirection of flood flows, and subsequently, additional flood-related risks and impacts. The MTP/SCS Program EIR determined that with implementation of Mitigation Measure HYD-4, impacts from placement of housing and structures within a flood hazard area would be less than significant.

The analysis of Impact HYD-4 in the MTP/SCS Program EIR found that growth in areas at risk from flooding related to levee or dam failure will be necessary. A sizable portion of the region's existing housing units and jobs are in these areas, and this growth pattern is consistent with the policies of the 2008 MTP and SACOG Blueprint, which call for a more compact regional growth footprint. The MTP/SCS Program EIR found that Impact HYD-4, like Impact HYD-3, would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure HYD-4: Conduct Hydrology Studies for Projects in Floodplains.

The implementing agency should conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows to a less than significant level. For the purposes of this mitigation, less than significant means consistent with federal, state, and local regulations and laws related to development in the floodplain.

Conclusions

The project site is located in the Folsom Dam failure inundation area and is within a 100-year flood hazard area that is protected by levees. The City is a signatory to the *Sacramento County Local-Hazard Mitigation Plan* (AMEC Earth & Environmental, Inc. 2011), which contains emergency procedures that would be implemented in the event of levee or dam failure. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

j) Result in inundation by seiche, tsunami, or mudflow?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

This issue was discussed in Section 3.5, “Geology, Soils, and Mineral Resources,” of the 2030 General Plan Master EIR. The 2030 General Plan Master EIR determined that the City is not within an area subject to seiche, tsunami, or mudflows, and that therefore, no further analysis of these types of hazards was necessary.

Construction and operational impacts associated with inundation by seiche, tsunami, or mudflow were analyzed in Impact HYD-5 of the MTP/SCS Program EIR. Impact HYD-5 found that the MTP/SCS plan area is outside of the areas of California that are at risk for tsunamis; thus, there would be no impacts from tsunamis and they were not analyzed further. The analysis found that large enclosed or partially enclosed water bodies, such as Folsom Lake, could be susceptible to damaging wave action from seismic seiches. However, given the fact that the Sacramento Valley is generally seismically inactive, and that no seiches had been reported in the MTP/SCS plan area, the MTP/SCS Program EIR found that there was a low probability for a seiche to occur in local water bodies. Therefore, this impact was determined to be less than significant.

Conclusions

The project site is located too far from the Pacific Ocean to be affected by tsunamis. Mudflows occur only in areas of steep terrain; the project site is nearly flat and is not located adjacent to or in the vicinity of any areas of steep terrain where mudslides could occur. Because the Sacramento Valley is generally not seismically active, there is a low probability for a seismic seiche to occur in the Sacramento or American Rivers in the vicinity of the project site. **No impact** would occur. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issue a), above. For the reasons described above, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?

For the response to City of Sacramento Environmental Checklist Question B), see State CEQA Guidelines Appendix G Environmental Issues g), h), and i), above. For the reasons described above, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

3.10 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Land Use and Planning. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.10.1 ENVIRONMENTAL SETTING

The project site is an infill redevelopment project located in Sacramento’s Central Business District (CBD), with a mix of high-density residential and office complexes located in the immediate vicinity. Surrounding land uses include federal and state offices to the north, west, and east. Two multifamily properties (Governor’s Square and Pioneer House) are located at the southeast and northwest corners, respectively, of 5th and P Streets. In addition, the State of California Central Plant (which heats and cools state buildings) is located on the south side of P Street, across the street from the project site (see Figure 2-1, “Regional Location,” in Chapter 2). The 2030 General Plan designates the project site as CBD, with a High Rise Residential (R-5) zoning classification.

The CBD designation in the 2030 General Plan provides for mixed-use high-rise development and single-use or mixed-use development that includes ground-floor office or retail beneath residential apartments and condominiums. Uses permitted include office, retail, and services; condominiums and apartments; compatible public and quasi-public uses; and gathering places such as plazas, courtyards, or parks. The allowable density and floor area ratio (FAR) permitted by the 2030 General Plan designation is a minimum density of 61.0 dwelling units per acre (du/acre) and maximum density of 450.0 du/acre for residential uses, and a minimum FAR of 3.0 and maximum FAR of 15.0 for mixed-use and nonresidential uses.

The R-5 zone provides for multifamily residential, with limited commercial and service uses for the surrounding neighborhood. The R-5 zone allows for institutional, office, and commercial land uses limited to 25% of the gross floor area or 6,400 square feet of a building, whichever is greater, unless otherwise permitted through the City’s site plan and design review process. The maximum density for residential projects in the R-5 zone is 175 du/acre with a maximum of 80% lot coverage. For nonresidential and mixed-use projects in the R-5 zone, the FAR included in the 2030 General Plan (3.0 to 15.0) is applicable. Maximum height for residential or mixed-use buildings in the R-5 zone is 240 feet unless otherwise permitted.

The project site encompasses approximately 10 acres on portions of four blocks in downtown Sacramento. The project site is currently developed with a residential rental property containing 409 units, approximately 4,122 square feet of neighborhood-serving retail and commercial space, recreational amenities (including a swimming pool), laundry facilities, various landscaped areas, and a three-level parking structure containing 200 parking spaces. The 409 units consist of 206 two- and three-story garden apartments (constructed in 1962 and renovated between 2002 and 2004) and 203 units in the 15-story Capitol Towers building (completed in 1966). Sharing the four-block project area, but not part of the project site, are the separately owned 15-story 500 N Street condominium tower (completed in 1980 as Bridgeway Towers) and the 12-story Pioneer Towers senior apartments (built in 1978). Figure 2-2 in Chapter 2 illustrates the existing development pattern.

3.10.2 RELEVANT STATE AND LOCAL POLICY

This section summarizes Senate Bill (SB) 375, which establishes the requirement that metropolitan planning organizations such as the Sacramento Area Council of Governments (SACOG) include SCSs in their regional transportation plans. In addition, this section summarizes the MTP/SCS (SACOG's SCS) and the 2030 General Plan for the purpose of determining the consistency of the proposed Sacramento Commons project with these plans.

SENATE BILL 375

The State of California reserves for local jurisdictions the authority to plan and regulate land use.

SB 375, the Sustainable Communities and Climate Protection Act of 2008 (Chapter 728, Statutes of 2008), directs the California Air Resources Board to set regional targets for reducing greenhouse gas (GHG) emissions. The law establishes a “bottom up” approach to ensure that cities and counties are involved in the development of regional plans to achieve those targets.

SB 375 relates to land use planning by building on the existing framework of regional planning to tie together the regional allocation of housing needs and regional transportation planning in an effort to reduce GHG emissions from motor vehicle trips. Further, SB 375 established CEQA streamlining and relevant exemptions for projects that are determined to be consistent with the land use assumptions and other relevant policies of an adopted SCS, described further below.

SACRAMENTO AREA COUNCIL OF GOVERNMENTS BLUEPRINT AND METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

Sacramento Area Council of Governments Blueprint

SACOG is an association of local governments in the six-county Sacramento region (El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba Counties, as well as 22 cities, including the City of Sacramento).

SACOG undertook the Blueprint Project (Blueprint) to build a consensus around a single, coherent, long-term vision for the development of the Sacramento region. The Blueprint, adopted by the SACOG Board of Directors in December 2004, is a voluntary framework for guiding future growth in the region. The Blueprint is not a policy document and does not regulate land use or approve or prohibit growth in the region. The Blueprint contains a transportation and land use analysis suggesting, how cities and

counties should grow based on the key principles listed below. A key issue for the Blueprint is that compliance with the adopted plan relies entirely on SACOG's ability to persuade jurisdictions to voluntarily follow the SACOG model. The Blueprint is intended by SACOG to be advisory and to guide the region's transportation planning and funding decisions.

The approved Blueprint is based on seven interlocking principles:

- ▶ *Compact Development* that requires less conversion of rural land, shortens travel distances, and reduces the per-unit cost of infrastructure and services.
- ▶ *Housing Choices*, in particular small-lot single-family dwellings and attached products that suit the needs of seniors, empty-nesters, young couples, single-person households, single-parent households, and other types of small households that currently make up four out of five American households. The smaller products fit well with the theme of compact development.
- ▶ *Mixed-Use Developments* that allow people to work and shop near their homes.
- ▶ *Use of Existing Assets*, in particular the development of sites that are already within the urban footprint and urban services coverage. This includes both infill development of vacant lots and redevelopment of underutilized sites such as low-density strip retail areas.
- ▶ *Transportation Choices*, in particular the ability to use non-auto modes (transit, bike, walk) for at least some trips. Non-auto modes are most practical in compact, mixed-use communities.
- ▶ *Quality Design* in terms of aesthetic buildings but also in terms of providing attractive, walkable public spaces that create a sense of community.
- ▶ *Conservation of Natural Resources* through less conversion of land to urban use, slower growth of demand for water, and reduction in the amount of per-capita auto travel.

Metropolitan Transportation Plan/Sustainable Communities Strategy

The MTP/SCS is a long-range plan for transportation in the region built on the Blueprint. SACOG is required by federal law to update the MTP at least every 4 years. Since the last MTP, California adopted SB 375, which requires the inclusion of an SCS in the MTP.

SACOG is a metropolitan planning organization with no regulatory authority related to land use. In recognition of the connection between efficient land use and the MTP goals to reduce trip lengths and mobile-source GHG emissions, the MTP/SCS contains a range of policies that support land use decisions that are consistent with the Blueprint, including the following policies:

- ▶ SACOG will provide information, tools, incentives, and encouragement to local governments that have chosen to grow consistent with Blueprint principles.
- ▶ SACOG intends to educate and provide information to policymakers, local staff, and the public about the mutually supportive relationship between smart growth development, transportation, and resource conservation.

- ▶ SACOG will encourage local jurisdictions in developing community activity centers well-suited for high-quality transit service and complete streets.

The MTP/SCS policies are further reinforced by a range of strategies that direct SACOG to undertake actions that fall within its area of expertise, such as “[s]upport development proposals that are well-suited and located to support high-quality transit use in Transit Priority Areas, through Blueprint analysis.”

SACRAMENTO 2030 GENERAL PLAN

State law requires each city and county to prepare and adopt a comprehensive and long-range general plan for its physical development (California Government Code, Section 65300). A comprehensive general plan provides a jurisdiction with a consistent framework for land use decision-making. Under California law, no specific plan, area plan, community plan, zoning, subdivision map, or public works project may be approved unless the city or county finds that it is consistent with the adopted general plan.

The *Sacramento 2030 General Plan* was adopted March 3, 2009.¹⁶ The 2030 General Plan is a 20-year policy guide for physical, economic, and environmental growth within the Sacramento city limits. The goals, policies, and implementation programs in the 2030 General Plan define a road map to achieving Sacramento’s vision to be the most livable city in America.

The Sacramento Commons project site is designated Central Business District (CBD) on the 2030 General Plan’s land use and urban form diagram. The 2030 General Plan envisions the CBD as the most intensely developed part of Sacramento. The CBD includes a mixture of retail, office, governmental, entertainment, and visitor-serving uses built on a formal framework of streets and park spaces laid out for the original Sutter Land Grant in the 1840s. The 2030 General Plan calls for the CBD to be a vibrant downtown core with a mixture of retail, office, government, entertainment, and visitor-serving uses that serves “as the business, governmental, retail, and entertainment center for the city and the region” (City of Sacramento 2009). The 2030 General Plan also calls for new residential uses to be built in the CBD with the express intent that expanding the CBD’s residential population will extend the hours of activity and augment the market for retail, services, and entertainment in downtown Sacramento.

The 2030 General Plan establishes key elements of urban form, allowed uses, and development standards for each land use designation, including the CBD. Allowed uses in the CBD land use designation include mixed-use high-rise development and single-use or mixed-use development within easy access to transit (i.e., ground-floor office/retail beneath residential apartments and condominiums), consisting of offices, retail and service uses, multifamily dwellings (e.g., apartments and condominiums), gathering places (such as plazas, courtyards, or parks), and compatible public, quasi-public, and special uses. Page 2-76 of the 2030 General Plan (Central Business District) states: “A significant element in the future CBD includes new residential uses. Increasing the residential

¹⁶ The City is in the process of updating the 2030 General Plan. According to the City’s 2035 General Plan Update Web page, the 2035 General Plan is anticipated to be adopted in December 2014.

population will add vitality to the CBD by extending the hours of activity and the built-in market for retail, services, and entertainment” (City of Sacramento 2009:2-76).

New development in the CBD designation must conform to the following standards:

- ▶ Minimum density: 61.0 units/net acre
- ▶ Maximum density: 450.0 units/net acre¹⁷
- ▶ Minimum FAR: 3.0 FAR (for mixed-use and nonresidential uses)
- ▶ Maximum FAR: 15.0 FAR (for mixed-use and nonresidential uses)

Under the 2030 General Plan, development in the CBD must be designed to reflect an urban form that is characterized by:

- ▶ a mixture of mid- and high-rise buildings creating a varied and dramatic skyline with unlimited heights;
- ▶ lot coverage generally not exceeding 90%;¹⁸
- ▶ buildings sited to positively define the public streetscape and public spaces;
- ▶ building façades and entrances directly addressing the street and having a high degree of transparency;
- ▶ an interconnected street system providing for traffic and route flexibility;
- ▶ vertical and horizontal integration of residential uses;
- ▶ public parks and open space areas within walking distance of local residents;
- ▶ parking integrated into buildings or placed in separate structures;
- ▶ minimal or no curb cuts along primary streets;
- ▶ side or rear access to parking and service functions;
- ▶ broad sidewalks appointed with appropriate pedestrian amenities, including sidewalk restaurant/café seating;
- ▶ street design integrating pedestrian, bicycle, transit, and vehicular use and incorporating traffic-calming features and on-street parking; and
- ▶ consistent planting of street trees providing shade and enhancing character and identity.

¹⁷ However, as noted above, the City refined the maximum density allowed on the project site within its Planning and Development Code, thereby limiting maximum density to 175 du/acre in the R-5 zone.

¹⁸ As noted above, R-5 zoning permits up to 175 du/acre and up to 80% lot coverage.

3.10.3 DISCUSSION

According to Section 15131 of the State CEQA Guidelines, economic or social information may be included in an EIR but shall not be treated as significant effects on the environment. However, economic or social effects of a project may be used to determine the significance of physical changes caused by the project. Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant. The potential for urban decay is often suggested as a socioeconomic impact that could lead to physical deterioration of the urban environment. However, urban decay is not required to be evaluated under CEQA as a socioeconomic impact, except to the extent that there could be the potential for a significant adverse impact on the environment. Because of public interest in this topic as it could relate to the proposed project, the City addresses the potential for urban decay in this initial study section. This topic is discussed below in Section 3.10.4.

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Physically divide an existing community?**
- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project?**
- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Sacramento 2030 General Plan Master EIR

Construction and Operational Impacts

The land use policies included in the Land Use and Urban Design Element of the 2030 General Plan are supported by six themes that incorporate principles adopted by SACOG in its Blueprint:

- ▶ making great places;
- ▶ engaging in smart growth with predominantly infill development focused within current Policy Area boundaries;
- ▶ maintaining a vibrant economy;
- ▶ creating a healthy city;
- ▶ living lightly by creating pedestrian-, bicycle-, and transit-oriented development and thus reducing the carbon footprint; and
- ▶ developing a sustainable future.

The 2030 General Plan Master EIR (Chapter 4, “Land Use and Consistency Evaluation”) found that the city of Sacramento consists of neighborhoods and districts that the City wants to protect and maintain. Land use policies provide for strategic growth and change that preserves existing viable neighborhoods and targets new development primarily to infill areas that are vacant or underutilized areas, and only secondarily to new “greenfield” areas. Proposed changes to established areas focus on enhancing the quality of life through improved connectivity with other parts of the city, greater access to amenities, enhanced safety, and greater housing and employment choices. The City’s growth policies strengthen and expand the framework of neighborhoods, centers, and corridors throughout Sacramento, ensuring compatible transitions between established neighborhoods and future development. Therefore, the 2030 General Plan Master EIR concluded that the 2030 General Plan is designed as a cohesive plan that builds upon existing neighborhoods and developed areas, and that it would not physically divide an existing established community, and thus, that no impact would occur with regard to this issue.

In addition, the 2030 General Plan Master EIR found that the 2030 General Plan has been designed to incorporate the Blueprint principles that mitigate potential traffic congestion in the region. Thus, projects consistent with the 2030 General Plan would not conflict with the Blueprint, and by extension, the MTP/SCS, which is based on the Blueprint. The 2030 General Plan includes the Blueprint’s assumptions for development allocations for the city of Sacramento in terms of population, housing units, and employment, including development within the CBD designation; thus, the 2030 General Plan is consistent with the SACOG Blueprint and MTP/SCS. The 2030 General Plan Master EIR determined that implementation of the 2030 General Plan would have no impact related to the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. Further, the 2030 General Plan Master EIR identified no impacts with regard to a conflict with an applicable habitat conservation plan (HCP) or natural community conservation Plan (NCCP). Therefore, there are no mitigation measures, performance standards, or criteria from the 2030 General Plan Master EIR related to these environmental issues.

Metropolitan Transportation Plan/Sustainable Communities Strategy Program EIR

Construction and Operational Impacts

As described in detail in Chapter 2, “Project Description,” of the MTP/SCS Program EIR, the MTP/SCS identifies the general location of uses, residential densities, and building intensities in the region in the MTP/SCS land use forecast. The land use forecast serves to identify housing by density and housing type, employment uses by industry, building intensity, and number of employees, as well as agriculture, open space, recreation areas, and other uses, by the following geographic area types: county, jurisdiction, community type, and transit priority area (TPA). Based on the available evidence, SACOG has concluded that there will be higher demand for attached and small-lot, single-family housing products over the MTP/SCS planning period, and lower demand for large-lot, single-family housing products, which currently make up the majority of housing in the region. In addition, these housing types have also been shown to be beneficial for increasing densities and mixed uses in Center and Corridor Communities and near high-quality transit, thus helping to encourage walkable communities.

The MTP/SCS forecasts that just over 30% of new housing construction will occur in Center and Corridor Communities, such as the Sacramento City CBD (in which Sacramento Commons would be

located). Table 12.9 from the MTP/SCS Program EIR is reproduced below as Table 3.10-1, detailing the projected distribution of future housing development in the SACOG region.

Land uses in Center and Corridor Communities are typically higher density and more mixed than surrounding land uses. Center and Corridor Communities are identified in local plans as historic downtowns, main streets, commercial corridors, rail station areas, central business districts, town centers, or other high-density destinations. They typically have more compact development patterns, a greater mix of uses, and a wider variety of transportation infrastructure than the rest of the region. Some have frequent transit service, either bus or rail, and all have pedestrian and bicycling infrastructure that is more supportive of walking and bicycling than other community types.

Table 3.10-1 Summary of Potential Housing Growth by Community Type (Dwelling Units)						
Community Type	2008		2008-2035		2035 (Total Units)	
	2008 Dwelling Units^{1,3}	Percent of Total	New Dwelling Units^{1,3}	Percent of Total	2035 Dwelling Units^{1,3}	Percent of Total
Center and Corridor Communities	103,479	11.7%	91,748	30.3%	195,227	16.4%
Established Communities	684,161	77.3%	79,445	26.2%	763,606	64.3%
Developing Communities	25,719	2.9%	126,629	41.8%	152,348	12.8%
Rural Residential Communities	71,733	8.1%	5,300	1.7%	77,033	6.5%
Lands not Identified for Development in the MTP/SCS ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²
Region Total	885,092	100.0%	303,122	100.0%	1,188,213	100.0%
Notes:						
¹ Totals may not match due to rounding.						
² The MTP/SCS does not forecast or model growth in the Lands Not Identified for Development in the MTP/SCS Community Type during the planning period, though there is existing development in these areas (primarily farm homes, agricultural-related uses, public lands such as waste water treatment facilities, etc.). As a result, existing developed acres in the Lands Not Identified for Development in the MTP/SCS Community Type was included in Established and Rural Residential Community Type totals.						
³ Due to different protocols among GIS models for tallying spatial data, housing unit numbers in the MTP/SCS Program EIR differ marginally (less than 0.3 percent) from those reported in the MTP/SCS.						
Source: SACOG MTP/SCS Land Use Forecast, June 2011, cited in Table 12.9 of MTP/SCS Program EIR (SACOG 2011)						

Another key element of the MTP/SCS is the focus on TPAs, defined as areas within one-half mile of a rail station stop or a high-quality transit corridor. Based on Blueprint principles, TPAs are anticipated to contain diverse housing options, in the form of housing products not currently widely available, in places where transit service can be provided efficiently. A primary goal of the MTP/SCS is to increase the number of people—both residents and employees—who have access to high-quality transit. The MTP/SCS forecasts that 38% of new dwelling units and 39% of new employees will be located within TPAs by 2035. Further, the MTP/SCS projects that high-quality transit service will be located near 157,216 existing dwelling units and 240,013 existing employees by that year.

Because the MTP/SCS complies with the objectives of SB 375, the MTP/SCS Program EIR determined that the impacts of the MTP/SCS would be less than significant with respect to the potential to physically divide an existing community; to conflict with applicable land use plans, policies, or regulations of an agency with jurisdiction over the project; or to conflict with any applicable HCP or NCCP. Therefore, no mitigation was required.

Conclusions

Construction and Operational Impacts

The proposed project is consistent with the policies and programs summarized above for the SACOG Blueprint, MTP/SCS, and 2030 General Plan land use policies, specifically those relevant to the CBD. Implementation of the proposed project would not be regarded as physically dividing an existing community, nor would the proposed project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

The proposed project is located in an existing, developed area of Sacramento, and the new residences, businesses, and improvements proposed as part of the project would accommodate a portion of the regional growth forecast in the 2030 General Plan and the MTP/SCS. This type of development was analyzed in the 2030 General Plan Master EIR and in the MTP/SCS Program EIR and found to have no impacts or less-than-significant impacts relating to land use and planning; therefore, no mitigation measures were required. The proposed project would accommodate a share of the projected population growth for the city and the region in the existing, developed Center and Corridor Communities within the CBD land use designation under the 2030 General Plan.

Allowed uses in the CBD designation include mixed-use high-rise development and single-use or mixed-use development within easy access to transit (i.e., ground-floor office/retail beneath residential apartments and condominiums) that includes office, retail, service uses, and multifamily dwellings (apartments and condominiums); gathering places such as plazas, courtyards, or parks; and compatible public, quasi-public, and special uses.

The proposed project includes the features anticipated for Center and Corridor Communities under the SACOG MTP/SCS and CBD designation under the 2030 General Plan. The project site is located in a TPA by virtue of its location in the Central City area of Sacramento (which includes the CBD). The proposed project would also be consistent with, and implement, key elements of the SACOG MTP/SCS related to TPA. According to a letter sent by SACOG to the City of Sacramento, dated June 4, 2014, SACOG found that Sacramento Commons is consistent with the MTP/SCS based on the following finding (McKeever, pers. comm., 2014):

- ▶ The project site is located in a Center and Corridor Community or an Established Community and the project uses have been reviewed in the context of, and are found to be consistent with, the general land use, density, and intensity information provided for this community type in Appendix E-3 of the MTP/SCS.

Further, the Sacramento Commons project as proposed is an urban infill and redevelopment project in the CBD of Sacramento. Therefore, no conflict would occur with any HCP or NCCP.

For these reasons, implementation of the proposed project would have a **less-than-significant** impact related to physically dividing a community; conflict with any applicable land use plan, policy, or regulation of agency with jurisdiction over the project; or conflict with any applicable HCP or NCCP. However, in light of known controversy surrounding the proposed project, this issue will be addressed further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to land use and planning.

3.10.4 URBAN DECAY

For the purpose of this analysis, urban decay is defined as extended long-term business or residential vacancies that directly or indirectly result in physical deterioration to properties or structures that is so prevalent, substantial, and/or lasting a significant period of time that it impairs the intended use of the properties and structures, and the health, safety, and welfare of the surrounding community. Physical deterioration includes abandoned buildings, boarded doors and windows, parked trucks and long-term unauthorized use of the properties and parking lots, extensive or offensive graffiti painted on buildings, dumping of refuse or overturned dumpsters on properties, dead trees and shrubbery, and uncontrolled weed growth. The proposed project would not have a significant impact related to urban decay if it would displace existing businesses without resulting in actual *physical* decay.

The City anticipates the Central City's population to increase 48% from 2008 to 2020 (City of Sacramento 2013a:H 3-5). SACOG's SCS anticipates that TPAs, such as the Central City, are anticipated to accommodate 92,124 additional housing units and 107,250 additional employees in Sacramento County by 2035 (SACOG 2012a:Table 3.13). To meet the anticipated Central City population demand, available housing in the Central City will need to more than double from 2008 to 2035 to accommodate this additional growth. (SACOG 2012b:53.)

Recent apartment vacancy reports for Sacramento County and the Central City show growing demand for housing, particularly rental housing, and falling vacancy rates. The real estate firm of Cassidy Turley released its *Apartment Market Report Sacramento: First Quarter 2014*, which shows, for Sacramento County, a steady trend of increasing rents (from \$899 to \$941) and declining vacancy rates (from 6.5% to 5%) between the first quarters of 2012 and 2014 (Cassidy Turley 2014). The Colliers International *Sacramento Multifamily Report Sacramento | First Quarter 2014* reported a 95.9% occupancy rate in the Central City (4.1% vacancy rate) in the first quarter of 2014, with market absorption of 450 units during the prior 12 months but delivery of only 159 units (Colliers International 2014). This trend suggests that occupancy of rental housing in the Central City increased faster than construction of new rental housing. If this trend continues, the approximately 1,000 rental housing units currently under construction could be absorbed in 2–3 years, when taking existing vacant units in the Central City into account.

The City envisions the development of additional housing in the Central City to keep up with anticipated population growth, including the proposed project, projects developed since 2008, and other currently foreseeable projects. According to the City's 2014 Housing Element, the Central City accounts for 11%

of additional housing capacity (11,475 units) between 2013 and 2021 based on the land inventory identified in the Housing Element for the purpose of meeting the City's fair share of regional housing needs under SACOG's 2012 Regional Housing Needs Plan. The land inventory included only those properties that could be developed by 2021. In particular, the *Central City Community Plan*, a part of the 2030 General Plan, envisions substantial residential and commercial infill development within special planning districts such as the CBD, *Railyards Specific Plan* area (12,100 units), *River District Specific Plan* area (8,144 units), and the *R Street Corridor Master Plan* area, *Docks Area Specific Plan* area (up to 1,155 units), and Broadway Corridor. Most of these housing units would not be built between 2014 and 2021.

The 2030 General Plan includes several policies intended to promote urban infill development and redevelopment, including:

- ▶ **LU 1.1.5 Infill Development.** The City shall promote and provide incentives (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, redevelopment, mining reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability.
- ▶ **LU 2.1.6 Neighborhood Enhancement.** The City shall promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas.
- ▶ **LU 2.6.2 Redevelopment and Revitalization Strategies.** The City shall employ a range of strategies to promote revitalization of distressed, under-utilized, and/or transitioning areas, including:
 - Targeted public investments.
 - Development incentives.
 - Redevelopment assistance.
 - Public-private partnerships.
 - Revised development regulations and entitlement procedures.
 - Implementation of City- or SHRA-sponsored studies and master plans.
- ▶ **LU 2.7.2 Design Review.** The City shall require design review that focuses on achieving appropriate form and function for new and redevelopment projects to promote creativity, innovation, and design quality.
- ▶ **LU 5.6.6 Central City Redevelopment Projects.** The City shall work with the Sacramento Housing and Redevelopment Agency (SHRA), the Capitol Area Development Authority (CADA), and private developers to ensure that redevelopment plans adopted for redevelopment areas surrounding the CBD (e.g., Railyards, River District, Docks Area, R Street) respect and respond to the urban patterns—streets, blocks, building heights, massing—and character established in the CBD, and do not undermine the physical centrality, visual primacy, or land use composition of the CBD.

In consideration of current and cumulative anticipated supply relative to projected demand for new residential units in the Central City, the proposed project would not result in increased long-term residential vacancies within the Central City.

With respect to the proposed project's commercial component, up to 69,122 square feet of retail and support service uses (including 4,122 square feet of existing retail uses in the Capitol Towers building) and a potential hotel are proposed. Support service uses consist of amenities provided to project residents and their guests such as gym facilities, spas, and other amenities not available to the general public. It is anticipated that 30% or more of the 69,122 square feet of retail and support service uses included as part of the proposed project would consist of support service uses not available to the general public. However, for the purposes of the urban-decay analysis, it is conservatively assumed that all 69,122 square feet of space would be used for retail rather than support service uses.

The retail uses included in the proposed project would be spread over six buildings (including the existing Capitol Towers building) and would consist of smaller retail uses catering to project residents. Based on the small size of the retail spaces included as part of the proposed project and the limited availability of parking immediately surrounding the project site, the proposed project is not anticipated to attract a substantial number of customers from outside of the immediate project area. Moreover, by adding more than 1,000 new residential units to the downtown area, the proposed project is anticipated to result in a net benefit to retail and commercial businesses in the Central City as a whole. (See also Appendix H, "Urban Decay Analysis," of the *Sacramento Entertainment and Sports Center & Related Development Draft Environmental Impact Report* [City of Sacramento 2013b], which determined that development of 682,500 square feet of retail uses proposed as part of the Sacramento Entertainment and Sports Center (ESC) project along with other identified cumulative projects within the Sacramento city limits does not have the potential to result in urban-decay impacts.)

With respect to the potential hotel component of the proposed project, the 320-room hotel may draw customers who otherwise would use other hotels in the Central City. Because this effect would be spread across several hotels within the Central City, it is not anticipated that any single hotel would be substantially affected by increased vacancies. Therefore, although some existing hotels may experience some financial impacts from increased competition as a result of the potential inclusion of a hotel as part of the proposed project, no evidence suggests that existing hotels would experience signs of deterioration associated with urban decay as a result of the proposed project. According to *The Sacramento Business Journal* (June 10, 2014) (Anderson 2014), the Sacramento-area hotel business is experiencing a 4-year improvement trend, with average occupancy at 74%.

Moreover, the City anticipates a substantial increase in demand for hotel rooms in downtown Sacramento after completion of the ESC project. Therefore, the increased supply of hotel rooms created by the proposed project and other cumulative hotel projects proposed within the Central City is anticipated to be offset by future increases in demand for hotel rooms within the Central City. As a result, the proposed project would not result in hotel closures or other physical deterioration within the Central City.

Therefore, **no impact** would occur with regard to urban decay. This topic will not be evaluated further in the EIR.

3.11 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.11.1 ENVIRONMENTAL SETTING

Under the Surface Mining and Reclamation Act (SMARA), the State Mining and Geology Board may designate certain mineral deposits as being regionally significant to satisfy future needs. The board’s decision to designate an area is based on a classification report prepared by the California Geological Survey (CGS) (formerly known as the California Division of Mines and Geology) and on input from agencies and the public. The project site lies within the designated Sacramento-Fairfield Production-Consumption Region for Portland cement concrete aggregate, which includes all designated lands within the marketing area of the active aggregate operations supplying the Sacramento-Fairfield urban center.

In compliance with SMARA, CGS has established the classification system shown in Table 3.11-1 to denote both the location and significance of key extractive resources.

Table 3.11-1 California Geological Survey Mineral Land Classification System	
Classification	Description
MRZ-1	Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
MRZ-2	<i>MRZ-2a:</i> Areas underlain by demonstrated mineral reserves where geologic data indicate that significant measured or indicated resources are present. MRZ-2a areas contain discovered mineral deposits that represent either measured or indicated reserves as determined by such evidence as drilling records, sample analysis, surface exposure, and mine information.
	<i>MRZ-2b:</i> Areas underlain by inferred mineral resources where geologic information indicates that significant inferred resources are present. MRZ-2b areas contain discovered mineral deposits that represent inferred resources.
MRZ-3	<i>MRZ-3a:</i> Areas containing known mineral occurrences of undetermined mineral resource significance.
	<i>MRZ-3b:</i> Areas containing inferred mineral occurrences of undetermined mineral resource significance. Land areas classified as MRZ-3b are underlain by geologic settings that appear to be favorable environments for the occurrence of specific mineral deposits.
MRZ-4	Areas of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources.
Note: MRZ = mineral resource zone Source: Dupras 1999:8-10	

The project site, which is located in downtown Sacramento and is currently built out with residential uses, is classified as MRZ-1—areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources (Dupras 1999:Plate 3).

The project site is not designated as a locally important mineral resource recovery site (City of Sacramento 2009:Figure 6.5-3).

3.11.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with mineral resources were analyzed in Impact 6.5-4 of the 2030 General Plan Master EIR. Impact 6.5-4 found that the City is required to analyze potential impacts on mineral resources in areas that have been classified by CGS as MRZ-2 (i.e., where significant mineral deposits are present). Impact 6.5-4 determined that only three areas within the Sacramento city limits are classified as MRZ-2; the remainder of the city is classified as either MRZ-1 or MRZ-3. The project site is located in an area classified as MRZ-1. Therefore, Impact 6.5-4 in the 2030 General Plan Master EIR is not applicable and is not discussed further in this initial study.

Construction and operational impacts associated with mineral resources were analyzed in Impacts GEO-7, GEO-8, and GEO-9 of the MTP/SCS Program EIR. The analyses of Impacts GEO-7 and GEO-8 found that new development in areas that have been classified by CGS as MRZ-2 could reduce the availability of known mineral resources that are of local, regional, or statewide importance, thereby resulting in a significant adverse impact. However, the project site is located in an area classified as MRZ-1. Therefore, Impacts GEO-7 and GEO-8 of the MTP/SCS Program EIR are not applicable and are not discussed further in this initial study.

The analysis of Impact GEO-9 of the MTP/SCS Program EIR found that construction activities associated with new development would require the use of mineral resources such as aggregate (sand, gravel, and crushed stone) and other mineral resources, and that the production and conservation of mineral resources is provided through a comprehensive surface mining and reclamation policy under SMARA. Additionally, the analysis found that local land use plans provide policies that protect mineral resources within their jurisdictions. Therefore, the MTP/SCS Program EIR found that impacts on mineral resources would be less than significant.

There are no mitigation measures, performance standards, or criteria from the 2030 General Plan Master EIR or MTP/SCS Program EIR related to minerals that would apply to the proposed project.

Conclusions

The project site is located in an area classified by CGS as MRZ-1—areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources (Dupras 1999:Plate 3). Also, the project site is not designated as a locally important mineral resource recovery site (City of Sacramento 2009:Figure 6.5-3). Therefore, project implementation would have **no impact** on the availability of locally or regionally important deposits of known mineral resources. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to mineral resources.

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3.12 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Noise. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases—specifically, if project-related sources would result in an exterior noise level exceeding 70 dBA L _{dn} in the vicinity of the project site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B) Result in an increase in noise levels due to project-related operation, which exceed the allowable noise increment, as provided in Table 3.12-1?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C) Result in residential interior noise levels of 45 dBA L _{dn} or greater caused by noise level increases due to the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D) Result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
E) Result in construction noise levels that exceed 75 dBA L _{eq} at the interior of a residential building during the daytime hours (7 a.m. to 10 p.m.) (this threshold to protect against potential sleep disturbance and noise-induced hearing loss from prolonged noise) (NIDCD 2008)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 in/sec due to project construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 in/sec due to project construction and highway traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H) Permit residential uses to be exposed to construction-related vibration levels greater than 80 VdB due to project construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I) Permit future residential uses to be exposed to groundborne vibration levels greater than 72 VdB due to the existing light rail lines (this threshold based on frequent events—i.e., more than 70 events or train operations per day—as defined by FTA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.12.1 ENVIRONMENTAL SETTING

Noise-sensitive land uses are those uses where quiet is essential to the purpose of the land use. Residential uses are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels when there may be an expectation of lesser noise at certain times of day (e.g., after 10 p.m.) and on certain days of the week (e.g., Sundays).

The existing noise environment near the project site is influenced primarily by surface transportation noise emanating from vehicular traffic on N, 7th, P, 5th, and O Streets and the light rail lines along 7th, 8th, and O Streets east of the project site.

Additional sensitive receptors of groundborne vibration would be historic buildings, which are more susceptible to structural damage from vibration. Vibration-sensitive receptors near the project site include the historic Heilbron House located at 704 O Street, approximately 100 feet east of the project site.

Noise-sensitive land uses near the project site include the Discovery Tree Preschool on the ground floor of the Board of Equalization building at 5th and N Streets; residences on adjacent properties to the north, west, and south of the project site; and residences at a greater distance from the project site west of 4th Street.

In addition to the ambient noise measurements, existing traffic noise on the roadways in the project vicinity was calculated to quantify existing traffic noise levels, based on the existing traffic volume (as provided by the project traffic study).

The existing vibration environment, like the noise environment, is dominated by transportation-related vibration from roadways near the project site. Heavy truck traffic can generate groundborne vibration, which varies considerably depending on vehicle type, weight, and pavement conditions. However, groundborne vibration levels generated from vehicular traffic are not typically perceptible outside of the road right-of-way. The background vibration level in residential areas is usually 50 vibration decibels (VdB) or lower, well below the threshold of perception for humans, which is around 65 VdB. The primary source of existing groundborne vibration in the vicinity of the project site would be the light rail track on the east side of the site.

3.12.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**¹⁹

SACRAMENTO 2030 GENERAL PLAN MASTER EIR AND MTP/SCS PROGRAM EIR

Construction Impacts

The construction noise impact associated with the exposure of persons to or generation of noise levels in excess of standards was analyzed in Impact 6.8-3 of the 2030 General Plan Master EIR. The 2030 General Plan Master EIR determined that the primary source of temporary or periodic noise in the city would be construction activity and maintenance work. This involves both activity at construction sites and transport of workers and equipment to and from construction sites. The 2030 General Plan Master EIR found that construction noise is and would continue to be a major noise source in the city. Noise levels at individual construction sites would not differ substantially from the noise levels for developments of similar size and type permitted under the existing 2030 General Plan.

To address future noise from construction activities, the 2030 General Plan includes Policy EC 3.1.10, which requires all development projects subject to discretionary approval that may have the potential to generate construction noise to mitigate construction noise impacts on sensitive uses. This policy requires mitigation of construction noise from future development because construction noise is restricted in intensity and hours of operation by the City's Noise Ordinance contained in Title 8, Chapter 8.68 of the City Code. Section 8.68.060 exempts certain activities from Chapter 8.68, including "noise sources due to the erection (including excavation), demolition, alteration or repair of any building or structure," as long as these activities are limited to between the hours of 7 a.m. and 6 p.m. Monday through Saturday, and between the hours of 9 a.m. and 6 p.m. on Sunday. The analysis in the 2030 General Plan Master EIR concluded that compliance with the 2030 General Plan's policies and with the

¹⁹ This environmental issue addresses the questions set forth in City of Sacramento Environmental Checklist Questions A, C, and D.

City Code would reduce the severity of construction noise from development under the 2030 General Plan, resulting in a less-than-significant impact.

The construction noise impact associated with the exposure of persons to or generation of noise levels in excess of standards was analyzed in Impact NOI-3 of the MTP/SCS Program EIR. The MTP/SCS Program EIR identified that construction of new developments could result in temporary noise impacts from grading, paving, clearing, landscaping, staging, excavation, earthmoving, and other related construction activities. Such construction activities require the use of construction equipment (e.g., pile drivers, jackhammers) and vehicles that generate large amounts of noise in the immediate vicinity of the source, often resulting in noise levels substantially higher than under existing conditions. The MTP/SCS Program EIR recommended implementation of Mitigation Measure NOI-3 to address construction noise impacts. Construction impacts identified in the MTP/SCS Program EIR were considered temporary and localized because they would be limited to the project's construction period and confined to areas adjacent to the construction site. The MTP/SCS Program EIR concluded that temporary construction noise impacts would be significant and unavoidable.

Operational Impacts

Operational noise impacts associated with the exposure of persons to or generation of noise levels in excess of standards were analyzed in Impact 6.8-1 (exterior noise) and Impact 6.8-2 (interior noise) of the 2030 General Plan Master EIR. Table 3.12-1 below reproduces Table EC 1 of the 2030 General Plan, which summarizes the City's exterior noise compatibility standards. Based on noise measurements and on existing and future noise modeling, the 2030 General Plan Master EIR found that noise levels exceeding City standards currently occur and would continue to occur in many residential areas and at other noise-sensitive uses throughout the city. The 2030 General Plan Master EIR concluded that these impacts would be significant and unavoidable.

The operational impact associated with the exposure of persons to or generation of noise levels in excess of standards was analyzed in Impact NOI-1 of the MTP/SCS Program EIR. The MTP/SCS Program EIR identified small mechanical devices (e.g., lawn mowers, leaf blowers), parks and playgrounds, restaurants and bars, commercial uses, and industrial plants as typical community noise sources. The MTP/SCS Program EIR found that the compact nature of development in Center and Corridor Communities could potentially increase noise levels to more than 70 A-weighted decibels (dBA) day-night average noise level (L_{dn}) and cause increases in noise levels of more than 3 dBA over baseline conditions (significance threshold from the MTP/SCS Program EIR), resulting in a potentially significant impact. The MTP/SCS Program EIR recommended implementation of Mitigation Measure NOI-1 to address this impact. However, the MTP/SCS Program EIR concluded that the impact would be potentially significant and unavoidable after implementation of Mitigation Measure NOI-1.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure NOI-1: Employ Measures to Reduce Noise from New Land Uses and Transportation Projects.

For projects that have not undergone previous noise study and that exceed acceptable noise thresholds, the implementing agency should conduct a project-level evaluation of noise impacts

Table 3.12-1 Exterior Noise Compatibility Standards for Various Land Uses	
Land Use Type	Highest Level of Noise Exposure that is Regarded as “Normally Acceptable” ^a (L _{dn} ^b or CNEL ^c)
Residential—Low Density Single Family, Duplex, Mobile Homes	60 dBA ^{d,e}
Residential—Multi-family	65 dBA
Urban Residential Infill ^f and Mixed-Use Projects ^g	70 dBA
Transient Lodging—Motels, Hotels	65 dBA
Schools, Libraries, Churches, Hospitals, Nursing Homes	70 dBA
Auditoriums, Concert Halls, Amphitheaters	Mitigation based on site-specific study
Sports Arena, Outdoor Spectator Sports	Mitigation based on site-specific study
Playgrounds, Neighborhood Parks	70 dBA
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75 dBA
Office Buildings—Business, Commercial and Professional	70 dBA
Industrial, Manufacturing, Utilities, Agriculture	75 dBA
Table 3.12-1 Exterior Noise Compatibility Standards for Various Land Uses (Continued)	
Notes:	
^a As defined in the <i>State of California General Plan Guidelines</i> , “Normally Acceptable” means that the “specified land use is satisfactory, based upon the assumption that any building involved is of normal conventional construction, without any special noise insulation requirements.”	
^b L _{dn} or day-night average level is an average 24-hour noise measurement that factors in day and night noise levels.	
^c CNEL or community noise equivalent level measurements are a weighted average of sound levels gathered throughout a 24-hour period.	
^d dBA or A-weighted decibel scale is a measurement of noise levels.	
^e The exterior noise standard for the residential area west of McClellan Airport known as McClellan Heights/Parker Homes is 65 dBA.	
^f With land use designations of Central Business District, Urban Neighborhood (Low, Medium, or High) Urban Center (Low or High), Urban Corridor (Low or High).	
All mixed-use projects located anywhere in the City of Sacramento.	
Source: City of Sacramento 2009:Table EC 1; adapted by AECOM in 2014.	

in accordance with applicable federal, state, and local noise standards. Where significant impacts are identified, mitigation measures should be implemented, where feasible, to reduce noise to be in compliance with applicable noise standards. Measurements that can be implemented include but are not limited to:

- constructing barriers in the form of sound walls or earth berms to attenuate noise at adjacent residences;
- using land use planning measures, such as zoning, restrictions on development, site design, and buffers to ensure that future development is compatible with adjacent transportation facilities and land uses;
- maximizing the distance between noise-sensitive land uses and new noise-generating facilities and transportation systems;
- improving the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise; and

- using rubberized asphalt or “quiet pavement” to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement or normal reconstruction of roadways where re-pavement is planned.

Mitigation Measure NOI-3: Reduce Noise, Vibration, and Groundborne Noise Generated by Construction Activities.

The implementing agency should reduce noise, vibration, and groundborne noise generated by construction activities by taking the following (or equivalent) actions:

- restrict construction activities to permitted hours in accordance with local jurisdiction regulations;
- properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps);
- prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors;
- locate stationary equipment such as generators, compressors, rock crushers, and cement mixers as far from sensitive receptors as possible; and
- predrill pile holes to the maximum feasible depth, provided that pile driving is necessary for construction.

Conclusions

Project construction would generate noise from equipment on the project site and from the transport of workers and equipment to and from the site. Construction activity could temporarily cease between project phases. The project would comply with Sacramento City Code Section 8.68.060, summarized above. Operation of heavy-duty construction equipment would be intermittent. Implementing the proposed project would also increase traffic volumes, and consequently, traffic noise. The East/West Promenade, secondary network of smaller scale pedestrian passageways, and proposed plaza at the corner of P and 7th Streets would be a potential source of operational noise from pedestrians and bicyclists who may be talking and engaging in other individual activities.

The MTP/SCS Program EIR concluded that these impacts would be potentially significant and unavoidable even after implementation of Mitigation Measures NOI-1 and NOI-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?²⁰

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction Impacts

The 2030 General Plan Master EIR found that vibration from construction activities may affect existing buildings (by causing structural damage) and their occupants (such as by disrupting activities or causing annoyance) if they are located close enough to the construction sites. (See Impacts 6.8-4 through 6.8-6.) Table 3.12-2 below summarizes typical vibration levels generated by construction equipment. In general, vibration-induced structural damage could occur only when certain types of construction activity (e.g., blasting, pile driving, heavy earthmoving) take place very close to existing structures. Vibration-induced disruption/annoyance could occur during more common types of construction activity (e.g., heavy earthmoving equipment) at a greater distance from the activity area. The 2030 General Plan Master EIR concluded that implementation of the 2030 General Plan could result in significant and unavoidable vibration impacts affecting existing or planned residential or commercial areas.

Table 3.12-2 Representative Vibration Source Levels for Construction Equipment														
Equipment	PPV at 25 Feet (in/sec) ¹	Approximate L _v (VdB) at 25 Feet ²	Nearest Sensitive Receptors											
			North			South			East			West		
			Distance	PPV	VdB	Distance	PPV	VdB	Distance	PPV	VdB	Distance	PPV	VdB
Large bulldozer	0.089	87		0.044	81		0.044	81		0.011	69		0.005	62
Caisson drilling	0.089	87		0.044	81		0.044	81		0.011	69		0.005	62
Loaded trucks	0.076	86	40	0.038	80	40	0.038	80	100	0.010	68	170	0.004	61
Jack-hammer	0.035	79		0.017	73		0.017	73		0.004	61		0.002	54
Small bulldozer	0.003	58		0.002	52		0.002	52		<0.001	<40		<0.001	<40
Significance Threshold				0.5	80		0.5	80		0.2	80		0.5	80

Notes: in/sec = inches per second; VdB = vibration decibels
¹ Where PPV is the peak particle velocity.
² Here L_v is the root mean square velocity expressed in vibration decibels (VdB), assuming a crest factor of 4.
 Source: FTA 2006

Impacts associated with the exposure of persons to, or generation of, excessive groundborne vibration was analyzed in Impact NOI-2 of the MTP/SCS Program EIR. The MTP/SCS Program EIR identified that construction of new developments could result in temporary vibration impacts from grading, paving,

²⁰ This environmental issue addresses the questions set forth in City of Sacramento Environmental Checklist Questions F through I.

clearing, landscaping, staging, excavation, earthmoving, and other related construction activities. Such construction activities require the use of construction equipment (e.g., pile drivers, jackhammers) and vehicles that generate large amounts of vibration in the immediate vicinity of the source, often resulting in vibration levels substantially higher than under existing conditions. However, the MTP/SCS Program EIR concluded that potential vibration impacts associated with land use projects would be less than significant.

Operational Impacts

The 2030 General Plan Master EIR found that development proposed for sites alongside light rail lines would have the potential to be exposed to groundborne vibration that may affect buildings (by causing structural damage) and their occupants (such as by disrupting activities or causing annoyance). (See Impact 6.8-5.) In general, the potential for vibration-induced structural damage from such sources would be very rare under any circumstances, but vibration-induced disruption/annoyance to persons could occur if the uses were close enough to rail lines. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

The operational vibration impact associated with the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels was analyzed in Impact NOI-2 of the MTP/SCS Program EIR. The MTP/SCS Program EIR concluded that normal operation of residential, office and commercial, and mixed-use buildings would be unlikely to generate substantial vibration or groundborne noise. Similarly, project operation (for residential and hotel uses) of typical building services' mechanical equipment and vehicles would not generate excessive groundborne vibration. Therefore, the MTP/SCS Program EIR concluded that potential vibration impacts associated with land use projects would be less than significant.

Conclusions

Consistent with the conclusions in the 2030 General Plan Master EIR and MTP/SCS Program EIR, vibration impacts associated with project operation are anticipated to be **less than significant**.

However, construction activities have the potential to result in varying degrees of temporary and short-term ground vibration, depending on the specific construction equipment used and operations involved. Development proposed for sites alongside light rail lines would have the potential to be exposed to groundborne vibration that may affect buildings (by causing structural damage) and their occupants (such as by disrupting activities or causing annoyance). In general, the potential for vibration-induced structural damage from such sources would be very rare, but vibration-induced disruption/annoyance could occur if the uses were close enough to rail lines. However, the 2030 General Plan Master EIR concluded that construction-related vibration noise impacts would have the potential to be significant and unavoidable. Therefore, this construction impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?²¹

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction Impacts

The 2030 General Plan Master EIR and the MTP/SCS Program EIR identified no construction impacts in this category. Because construction occurs temporarily, it does not result in a substantial permanent increase in ambient noise levels. Therefore, this issue is not applicable to construction impacts.

Operational Impacts

Operational noise impacts associated with a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project were analyzed in Impact 6.8-1 (exterior noise) and Impact 6.8-2 (interior noise) of the 2030 General Plan Master EIR. Based on noise measurements and on modeling of existing and future noise levels, the 2030 General Plan Master EIR found that noise levels in excess of City standards currently occur and would continue to occur in many residential areas and other noise-sensitive uses throughout the city. The 2030 General Plan Master EIR concluded that these impacts would be significant and unavoidable.

Operational noise impacts associated with a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project were analyzed in Impact NOI-1 of the MTP/SCS Program EIR. The MTP/SCS Program EIR identified small mechanical devices (e.g., lawn mowers, leaf blowers), parks and playgrounds, restaurants and bars, commercial uses, and industrial plants as typical community noise sources in Center and Corridor Communities. The MTP/SCS Program EIR also identified traffic and transportation-related noise as a dominant noise source. The MTP/SCS Program EIR recommended implementation of Mitigation Measure NOI-1 to address this impact. However, the MTP/SCS Program EIR concluded that the impact would be potentially significant and unavoidable after implementation of Mitigation Measure NOI-1.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure NOI-1: Employ Measures to Reduce Noise from New Land Uses and Transportation Projects.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue a), above.

Conclusions

As stated above, because the significance threshold identified in Environmental Issue c) refers to a substantial *permanent* increase in ambient noise levels in the project vicinity above levels existing without the project, this threshold does not apply to construction impacts.

²¹ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

Occupation of the proposed dwellings would expose adjacent residences to noise. Development on the project site would be required to comply with the Sacramento City Code, which includes restrictions on noise generation. However, the MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure NOI-1. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?²²

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The construction noise impact associated with a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project was analyzed in Impact 6.8-3 of the 2030 General Plan Master EIR. The primary source of temporary or periodic noise in the city would be construction activity and maintenance work. This involves both construction-site activity and the transport of workers and equipment to and from the construction sites. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

The construction noise impact associated with a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project was analyzed in Impact NOI-3 of the MTP/SCS Program EIR. The MTP/SCS Program EIR found that construction of new developments could result in temporary noise and vibration impacts from grading, paving, clearing, landscaping, staging, excavation, earthmoving, and other related construction activities. Such construction activities would require the use of construction equipment (e.g., pile drivers, jackhammers) and vehicles that generate large amounts of noise and vibration in the immediate vicinity of the source, often resulting in noise and vibration levels substantially higher than existing conditions. Although construction-related noise impacts would be short term, the MTP/SCS Program EIR found that implementing the MTP/SCS could result in increases in noise or vibration that would result in significant impacts. The MTP/SCS Program EIR recommended implementation of Mitigation Measure NOI-3 to address construction noise impacts. However, the MTP/SCS Program EIR concluded that temporary construction noise impacts would be significant and unavoidable.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure NOI-3: Reduce Noise, Vibration, and Groundborne Noise Generated by Construction Activities.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue a), above.

²² This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question E.

Conclusions

Construction activities for the proposed project would temporarily increase noise levels near the activities. Project construction would result in additional vehicle trips on the local roadway network. The proposed project's construction activities would comply with Section 8.68.080 of the City's Noise Ordinance. In addition, MTP/SCS Program EIR Mitigation Measure NOI-3, which includes measures to reduce noise generated by construction activities, would be incorporated in this project as a requirement of the project.

However, the MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure NOI-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?**
- f) **For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR and the MTP/SCS Program EIR identified no impacts in this category.

Conclusions

The project site is not located within an airport land use plan, nor is it located within 2 miles of a public or public-use airport or private airstrip. Distant aircraft operations, although a contributor to the local noise environment, are not considered a substantial source of noise. Therefore, **no impact** would occur. This topic will not be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

- A) **Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases—specifically, if project-related sources would result in an exterior noise level exceeding 70 dBA L_{dn} in the vicinity of the project site?**
- C) **Result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project?**
- D) **Result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance?**

For the response to City of Sacramento Environmental Checklist Questions A), C), and D), see State CEQA Guidelines Appendix G Environmental Issue a), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an

EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

B) Result in an increase in noise levels due to project-related operation, which exceed the allowable noise increment, as provided in Table 3.12-1?

For the response to City of Sacramento Environmental Checklist Question B), see State CEQA Guidelines Appendix G Environmental Issue c), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

E) Result in construction noise levels that exceed 75 dBA L_{eq} at the interior of a residential building during the daytime hours (7 a.m. to 10 p.m.) (this threshold to protect against potential sleep disturbance and noise-induced hearing loss from prolonged noise) (NIDCD 2008)?

For the response to City of Sacramento Environmental Checklist Question E), see State CEQA Guidelines Appendix G Environmental Issue d), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

F) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 in/sec due to project construction?

G) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 in/sec due to project construction and highway traffic?

H) Permit residential uses to be exposed to construction-related vibration levels greater than 80 VdB due to project construction?

I) Permit future residential uses to be exposed to groundborne vibration levels greater than 72 VdB due to the existing light rail lines (this threshold based on frequent events—i.e., more than 70 events or train operations per day—as defined by FTA)?

For the response to City of Sacramento Environmental Checklist Questions F), G), H), and I), see State CEQA Guidelines Appendix G Environmental Issue b), above. For the reasons described above, this construction impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

3.13 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Population and Housing. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.13.1 ENVIRONMENTAL SETTING

According to the California Department of Finance, Sacramento’s population was 473,509 on January 1, 2013 (DOF 2013). The City of Sacramento’s 2013–2021 Housing Element estimated the Central City’s population to be 32,367 in 2010 (City of Sacramento 2013:Table H 3-2). The 2030 General Plan Master EIR forecast that 51,894 people will live in the plan area in 2025. This represents an increase of 19,527 new residents between 2010 and 2025. The 2030 General Plan Master EIR states that the *Central City Community Plan* area had 17,873 residential units in 2007, of which 92% (or about 16,443) were multifamily units. The U.S. Census Bureau’s 2012 American Community Survey identified a vacancy rate of 5.7% in the city of Sacramento (U.S. Census Bureau 2014a). The Colliers International *Sacramento Multifamily Report, Sacramento | First Quarter 2014* (Colliers International 2014) reported a 95.9% occupancy rate in the Central City (4.1% vacancy rate) in the first quarter of 2014, with market absorption of 450 units during the prior 12 months but delivery of only 159 units.

The project site encompasses approximately 10 acres on portions of four city blocks. The project site currently contains 409 dwelling units, consisting of 206 two- and three-story garden apartments and 203 dwelling units within the 15-story Capitol Towers building. Capitol Towers was completed in 1966. The garden apartments on-site were constructed in 1962 and were renovated between 2002 and 2004.

3.13.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no impacts in this category. Therefore, there are no mitigation measures, performance standards, or criteria from the 2030 General Plan Master EIR related to this environmental issue.

The MTP/SCS identifies areas in the region sufficient to house all of the region's population. The MTP/SCS accomplishes this by conducting a regional economic forecast of employees and population to determine how much housing and employment is required to accommodate this growth. The MTP/SCS then allocates the housing needed to accommodate the growth throughout the region. This method, in conjunction with vacancy factors applied in the regional travel model to simulate market conditions, provides sufficient housing supply in the MTP/SCS for the population expected to reside in the Sacramento region through 2035.

The housing identified in the MTP/SCS accommodates the forecasted population for the region, taking into account market vacancy factors. The MTP/SCS estimates that available housing in the Central City will need to more than double from 2008 to 2035 (SACOG 2012:53). Therefore, the MTP/SCS Program EIR found growth inducement impacts associated with implementation of the MTP/SCS to be less than significant. Therefore, there are no mitigation measures or explicit performance standards, or criteria from the MTP/SCS Program EIR related to this environmental issue.

However, as noted in the MTP/SCS Program EIR, the MTP/SCS includes a discussion of how the MTP/SCS can accommodate population and employment growth through land use plans adopted by cities and counties in the Sacramento Area Council of Governments (SACOG) region, while ensuring adequate housing and infrastructure to serve this growth, which could represent a type of performance standard. The MTP/SCS utilizes the adopted and proposed land use plans of the cities and counties of the SACOG region to help determine where the housing and employment growth is likely to occur. The MTP/SCS concludes that this land use pattern is a realistic forecast of the expected growth in the region which also supports fundamental objectives of the proposed MTP/SCS. (SACOG 2011:14–16.)

Conclusions

According to the City's 2013–2021 Housing Element, there were 32,367 residents in the Central City in 2010 (City of Sacramento 2013:Table H 3-2). The 2010 Census (SF-1) counted 18,101 households in the Central City's 13 census tracts, resulting in an average household size of approximately 1.8 persons (U.S. Census Bureau 2014b). The increase of up to 1,113 housing units proposed at Sacramento Commons could lead to an approximate increase of up to 2,000 additional residents at buildout (estimated to be 2021).

The City's Housing Element anticipates the construction of 11,665 new housing units citywide by 2021 (City of Sacramento 2013:Table H 9-1). The Sacramento Commons project would represent about 9.5% of the City's total estimated housing construction through 2021. The additional population projected at buildout of Sacramento Commons represents less than 2% of the projected population of 109,312 for the Central City (City of Sacramento 2013:Table H 3-3).

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?**
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no impacts in this category. Therefore, there are no mitigation measures, performance standards, or criteria from the 2030 General Plan Master EIR related to this environmental issue.

SACOG's MTP/SCS does not identify specific parcels that may be redeveloped by 2035; therefore, the MTP/SCS does not forecast the amount of housing and population that may be displaced by future land use changes. The amount of growth expected to occur during the MTP/SCS planning period could displace some existing homes and residents, especially in transit priority areas, as the land uses forecasted by the proposed MTP/SCS are implemented. However, the MTP/SCS Program EIR concluded that the forecast, and subsequent allocation of regional housing, would meet the demand, and any displacement that occurs would not result in the need for construction of new housing.

Any project-level redevelopment that uses federal or state funds must follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act and the California Relocation Assistance Act to address the displacement of people or housing. Therefore, the MTP/SCS Program EIR found impacts associated with displacement of substantial numbers of existing homes or people to be less than significant.²³

Conclusions

The project proposes to add up to 1,113 new housing units (excluding the 206 units proposed to be demolished and the existing 203-unit Capitol Towers). Since 2010, several residential and mixed-use developments with housing have been completed or are under construction in the Central City. Additional residential development is under way in West Sacramento near Raley Field, across the Sacramento River from downtown Sacramento. The proposed project would remove 206 units, decreasing the available housing stock in the Central City temporarily. However, none of the 206 housing units to be removed are subsidized units for low- or moderate-income households. It is anticipated that residents temporarily displaced from the 206 housing units proposed for demolition at Sacramento Commons would be able to find other suitable housing in and surrounding the Central City, including housing units to be produced in the early phases of the project.

²³ Because the proposed project would not use federal or state funds, the requirements of these acts are not applicable to Sacramento Commons.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to population and housing.

3.14 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Public Services. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
B) Result in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2030 General Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.14.1 ENVIRONMENTAL SETTING

Fire Protection Services

The Sacramento Fire Department (SFD) provides fire protection services to the entire city, which encompasses approximately 98 square miles within the existing city limits. SFD is staffed by more than 500 firefighters and administrative staff members. On a daily basis, the department staffs 24 fire engines, eight ladder trucks, one heavy rescue, and 13 medic units at 24 fire stations, which are divided into three battalions (SFD 2014).

First-response service to the project site would be provided by Fire Station #1, which is located at 624 Q Street, approximately 0.2 mile south of the project site. The next closest station is Fire Station #2, which is located at 1229 I Street, approximately 1.0 mile north of the project site. Fire Station #2 has an aerial truck that would respond to the project site. The next closest station with an aerial truck is Fire Station #5, which is located at 731 Broadway.

Police Protection Services

The Sacramento Police Department (SPD) is principally responsible for providing police protection services within the jurisdictional limits of the City of Sacramento. SPD was staffed in 2013 by 880 full-time and part-time employees, of whom 606 were sworn officers (SPD 2013:10).

The project site is within Police District 3 and is located within beat 3A (SPD 2013:6). First response to the project site would be provided by Central Command, which serves Downtown, Midtown, the Richards Boulevard corridor, and the Railyards. The Central Command is located at 300 Richards Boulevard, approximately 2 miles north of the project site.

Public Schools

The project site is located within the Sacramento City Unified School District (SCUSD) boundaries. The SCUSD area covers the Central City, east to the Sacramento city limits, including the project site. SCUSD operates more than 70 schools throughout Sacramento; the district includes traditional elementary, middle, and high schools, as well as alternative education and charter school facilities. The 2013–2014 SCUSD enrollment was approximately 47,000 students (CDE 2014).

Based on maps showing SCUSD 2013–2014 school attendance boundaries, students at the project site would attend William Land Elementary School, Sutter Middle School, and C. K. McClatchy High School. These schools have estimated remaining capacities of 305 students, 288 students, and 454 students, respectively. It should be noted that SCUSD has a policy of open enrollment and can provide students with multiple choices for school attendance. In addition, SCUSD attendance areas are subject to change to accommodate school overcrowding and changes in facility utilization.

Parks

The City's Department of Parks and Recreation maintains more than 3,178 acres of parkland, including 1,716 developed acres; manages 222 parks, recreation, parkway, and open space sites; maintains more than 88 miles of bike trails and 14 miles of jogging and walking paths within city parks; and operates more than 17 aquatic facilities (swimming pools, play pools, and wading pools), nine dog parks, 13 skateboard parks, and 18 community centers and neighborhood centers (City of Sacramento 2009). The *City of Sacramento Parks and Recreation Master Plan* identifies 10 community plan areas in the city. The project site is within the *Central City Community Plan* area.

Other Public Facilities

The project site is located in Sacramento's Central Business District, with a mix of high-density residential and office complexes located in the immediate vicinity. Other public facilities including but not limited to libraries, hospitals, and social services are located within the city boundaries. Library services in the area are served by the Sacramento Public Library, a joint powers agency that serves residents of the city and county of Sacramento. Four major emergency facilities are located close to the project site.

3.14.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**²⁴

Fire protection

Sacramento 2030 General Plan EIR and MTP/SCS Program EIR

Construction and operational impacts associated with fire protection services and facilities were analyzed in Impact 6.10-2 in the 2030 General Plan Master EIR. The analysis of Impact 6.10-2 determined that new fire stations and additional fire personnel would be required to ensure that adequate fire protection is provided to new development permitted under the 2030 General Plan. However, the policies from the 2030 General Plan include measures to accommodate growth and the increased demand for fire protection services and facilities. Therefore, the 2030 General Plan Master EIR concluded that the impact would be less than significant.

Construction and operational impacts on fire protection services and facilities were analyzed in Impact PS-2 of the MTP/SCS Program EIR. The analysis of Impact PS-2 determined that new development, including development in the Center and Corridor Communities, could require the construction of new facilities to maintain adequate fire protection and emergency services. However, the MTP/SCS Program EIR concluded that this impact would be less than significant.

Conclusions

Construction activities such as operation of construction equipment and machinery and the storage, use, and handling of combustible and flammable materials would temporarily increase demand for fire protection services. Existing fire protection services would be available to serve the project site during construction. Therefore, construction activities would not result in the need for new fire stations or the expansion of existing stations.

The proposed project would generate an increase of up to approximately 2,000 new residents. These increases could result in an incremental increase in calls for fire services beyond that currently experienced at the project site.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

²⁴ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Police protection²⁵

Sacramento 2030 General Plan EIR and MTP/SCS Program EIR

Construction and operational impacts associated with police protection services were analyzed in Impact 6.10-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.10-1 determined that new police stations and additional personnel would be required to ensure that adequate police protection is provided to new development permitted under the 2030 General Plan. However, the 2030 General Plan policies include measures to accommodate growth and the increased demand for police protection services and facilities. The 2030 General Plan Master EIR concluded that the impact would be less than significant.

Construction and operational impacts on police protection services and facilities were analyzed in Impact PS-2 of the MTP/SCS Program EIR. As discussed above, the analysis of Impact PS-2 determined that increases in demand for police protection facilities could be met by existing facilities and that the land use growth footprint of the MTP/SCS includes the land supply needed to accommodate new police protection facilities, if new facilities are required to meet demands. Therefore, the MTP/SCS Program EIR concluded that the impact would be less than significant.

Conclusions

The increase of up to 1,113 additional housing units proposed at the Sacramento Commons project site could lead to an approximate increase of 2,000 additional residents at buildout. This could result in an incremental increase in calls for police services beyond that currently experienced at the project site. However, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

²⁵ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Schools²⁶

Sacramento 2030 General Plan EIR and MTP/SCS Program EIR

Construction and operational impacts associated with school facilities were analyzed in Impacts 6.10-3 and 6.10-4 of the 2030 General Plan Master EIR. The 2030 General Plan Master EIR concluded that these impacts would be less than significant.

Construction-related impacts on school services and facilities were analyzed in Impact PS-1 of the MTP/SCS Program EIR. The analysis of Impact PS-1 determined that new development, including development in the Center and Corridor Communities, could require new school facilities to maintain acceptable levels of service. Senate Bill (SB) 50 (Chapter 407, Statutes of 1998) governs the amount of fees that can be levied against new development and states that payment of fees authorized by the statute is deemed “full and complete mitigation.”

Operational impacts on school services and facilities were analyzed in Impact PS-2 of the MTP/SCS Program EIR. The analysis of Impact PS-2 determined that new development, including development in the Center and Corridor Communities, could require the construction of new school facilities. The MTP/SCS Program EIR recommended implementation of Mitigation Measure PS-1 to ensure that adequate public services and utilities would be available to achieve required levels of public services including school-related capacity, equipment, and personnel. The MTP/SCS Program EIR concluded that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure PS-1.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure PS-1: Ensure Adequate Public Services and Utilities Will Be Available to Satisfy Levels Identified in Local General Plans or Service Master Plans.

The implementing agency should ensure that public services and utilities will be available to meet or satisfy levels identified in the applicable local general plan or service master plan. This shall be documented in the form of a capacity analysis or provider will-serve letter.

Conclusions

Construction of the proposed project would not increase demand for school services or facilities. Construction workers are expected to reside in the Sacramento area; therefore, construction would not increase the number of school-age children attending SCUSD schools. **No impact** associated with construction would occur. This topic will not be evaluated further in the EIR.

²⁶ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

Implementation of the proposed project would increase the number of residents in Sacramento and subsequently increase the number of school-age children attending SCUSD schools. The proposed project would construct 1,422 multifamily dwelling units under the Hotel Scenario or 1,522 multifamily dwelling units under the No Hotel Scenario. Table 3.14-1 shows the student-yield generation rates and the number of new elementary school, middle school, and high school students who would be generated under the Hotel and No Hotel Scenarios. Students at the project site would attend William Land Elementary School, Sutter Middle School, and C. K. McClatchy High School. All three schools are operating below design capacity and would remain below capacity when including students generated by the proposed project. Therefore, all three schools would have sufficient capacity to meet the demands of project-generated students, and the proposed project would not result in a shortfall of school services or facilities that would result in the construction of new schools or expansion of existing schools.

Grade Level	Multifamily (Students per Dwelling Unit)	Total Students under the Hotel Scenario ¹	Total Students under the No Hotel Scenario ²
Elementary (K–6)	0.19	270	289
Middle (7–8)	0.03	43	46
High (9–12)	0.04	57	61
Total Students	–	370	396

Notes:
¹ The total number of students generated under the Hotel Scenario is based on construction of 1,422 multifamily dwelling units.
² The total number of students generated under the No Hotel Scenario is based on construction of 1,522 multifamily dwelling units.
Source: SCUSD 2012:7

Pursuant to SB 50, the project applicant would be required to pay all applicable state-mandated school impact fees to SCUSD. As of January 2012, SCUSD’s Level I fees are \$3.20 per square foot for residential construction and \$0.51 for commercial construction (SCUSD 2012:10). The California Legislature has declared that the school impact fee is deemed to be full and adequate mitigation under CEQA. (California Government Code Section 65996.)

Additionally, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento’s 2030 General Plan, it is anticipated that the operational impact of the proposed project with respect to this issue would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Parks²⁷

Sacramento 2030 General Plan EIR and MTP/SCS Program EIR

Construction-related impacts associated with parks were analyzed in Impact 6.9-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.9-2 determined that an increased demand for parks and recreation facilities resulting from new development permitted under the 2030 General Plan could create the need for construction or expansion of parks and recreation facilities beyond what was anticipated in the 2030 General Plan. However, implementation of 2030 General Plan policies would ensure that service level goals set in the *City of Sacramento Parks and Recreation Master Plan* are met and that adequate parkland is provided to accommodate growth and the increased demand for parks and recreation facilities. Therefore, the 2030 General Plan Master EIR concluded that this impact would be less than significant.

Operational impacts associated with parks were analyzed in Impact 6.9-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.9-1 determined that an increased demand for parks and recreation facilities would result from new development permitted under the 2030 General Plan. The 2030 General Plan policies include measures to accommodate growth and the increased demand for parks and recreation facilities. Therefore, the 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts on parks and recreation facilities were analyzed in Impacts PS-1 and PS-2 of the MTP/SCS Program EIR. The analysis of Impact PS-1 determined that new development, including development in the Center and Corridor Communities, could require new parks and recreation facilities to maintain acceptable levels of service. Implementation of the proposed MTP/SCS would result in the conversion of open space to urban uses. The MTP/SCS Program EIR recommended implementation of Mitigation Measure PS-1 to ensure that adequate public services and utilities would be available to achieve required levels of public services, including with respect to park facilities. The MTP/SCS Program EIR concluded that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure PS-1.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure PS-1: Ensure Adequate Public Services and Utilities Will Be Available to Satisfy Levels Identified in Local General Plans or Service Master Plans.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue a) (Schools), above.

²⁷ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

Conclusions

Implementation of the proposed project would result in increased demand for new parks and recreational facilities. The increase of up to 1,113 additional housing units proposed at the Sacramento Commons project site could lead to an approximate increase of approximately 2,000 additional residents at buildout. However, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the impact of the proposed project with respect to this issue would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Other public facilities²⁸

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with other public facilities were analyzed in Impacts 6.10-7 and 6.10-9 of the 2030 General Plan Master EIR. These impacts describe the actions required by the City to maintain adequate library services (Impact 6.10-7) and medical facilities (Impact 6.10-9). The 2030 General Plan Master EIR concluded that these impacts would be less than significant.

Construction and operational impacts on other public services, including libraries, hospitals, and social services, were analyzed in Impacts PS-1 and PS-2 of the MTP/SCS Program EIR. The analysis of Impact PS-1 determined that new development, including development in the Center and Corridor Communities, could require new public facilities to maintain acceptable levels of service. Depending on growth and housing patterns, some public facilities may become overused and facilities may be required to ensure acceptable levels of service. The timing, siting, and project-specific details of individual development projects would dictate the necessity of increasing service in existing service areas or expanding service to new areas. The MTP/SCS Program EIR recommended implementation of Mitigation Measure PS-1 to ensure that adequate public services and utilities would be available to achieve required levels of public services. The MTP/SCS Program EIR concluded that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure PS-1. Roadway maintenance is discussed in more detail in Section 3.16, "Transportation/Traffic."

As discussed above, the analysis of Impact PS-2 in the MTP/SCS Program EIR determined that increases in demand for other public services and facilities, including libraries, hospitals, and social services, could be met by existing facilities, and that the land use growth footprint of the MTP/SCS includes the land supply needed to accommodate new parks and recreation facilities, if new facilities are required to meet demands. Therefore, the MTP/SCS Program EIR concluded that this impact would also be less than significant.

²⁸ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a less-than-significant impact with respect to this issue. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTION

A) Result in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2030 General Plan?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issue a), above, for each subissue identified (fire protection, police protection, schools, parks, and other public facilities). For the reasons described above, it is anticipated that **no impact** with respect to schools would occur during project construction. This topic will not be evaluated further in the EIR.

However, for the reasons described above, it is anticipated that the operational impact of the proposed project with respect to schools and the impact of the proposed project with respect to parks would be **less than significant with mitigation incorporated**. It is also anticipated that the proposed project would result in a **less-than-significant** impact with respect to fire protection, police protection, and other public facilities. All of these issues will be evaluated further in the EIR.

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3.15 RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Recreation. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
i) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2030 General Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.15.1 ENVIRONMENTAL SETTING

As discussed in Section 3.14, “Public Services,” the project site is within the *Central City Community Plan* area. The following City parks in the plan area may serve project residents: Roosevelt Park, Southside Park, and Crocker Park. Other publicly accessible parks located near the project site are Capitol Park, located between L, 15th, N, and 10th Streets, which is part of the California State Park system; a pocket park owned by the State of California at the southwest corner of 5th and Q Streets, adjacent to the State of California Central Plant; and the American River Bike Trail, which extends more than 32 miles to Beal’s Point on Folsom Lake.

3.15.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- c) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**²⁹
- d) **Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**³⁰

²⁹ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

³⁰ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question B.

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction-related impacts associated with parks were analyzed in Impact 6.9-2 of the 2030 General Plan Master EIR. The analysis of Impact 6.9-2 determined that an increased demand for parks and recreation facilities resulting from new development permitted under the 2030 General Plan could create the need for construction or expansion of parks and recreation facilities beyond what was anticipated in the 2030 General Plan. However, implementation of policies from the 2030 General Plan would ensure that service level goals set in the *City of Sacramento Parks and Recreation Master Plan* would be met and that adequate parkland would be provided to accommodate growth and the increased demand for parks and recreation facilities. Of the 2030 General Plan policies identified in Impact 6.9-2, only Policy ERC 2.2.4 would be applicable to the proposed project. Policy ERC 2.2.4 requires new residential development to dedicate land or pay in-lieu fees for parks or recreation facilities, thereby ensuring that new residential development would provide adequate parkland and/or that applicable fees would be paid to the City to purchase additional park facilities. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

Operational impacts associated with parks were analyzed in Impact 6.9-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.9-1 determined that an increased demand for parks and recreation facilities would result from new development permitted under the 2030 General Plan. The policies from the 2030 General Plan include measures to accommodate growth and the increased demand for parks and recreation facilities. The 2030 General Plan Master EIR also concluded that because implementing policies from the 2030 General Plan would provide sufficient parks and recreation facilities to meet the increased demand associated with an increase in population, new development would not substantially accelerate the deterioration of existing facilities. 2030 General Plan Policy ERC 2.2.9, which allows new development to provide small plazas, pocket parks, civic spaces, and other gathering places that are available to the public to help meet recreational demands, is applicable to the proposed project. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts on parks and recreational facilities were analyzed in Impacts PS-1 and PS-2 of the MTP/SCS Program EIR. (See Section 3.14, "Public Services," of this initial study for further discussion of Impacts PS-1 and PS-2.)

The analysis of Impact PS-1 determined that new development, including development in the Center and Corridor Communities, could require new parks and recreational facilities to maintain acceptable levels of service. There is no regional goal for per-capita open space and parkland acreage; therefore, the MTP/SCS Program EIR determined that impacts would be potentially significant. The MTP/SCS Program EIR found that implementing Mitigation Measure PS-1 would ensure that public services would be available to meet or satisfy levels identified in the applicable local general plan or service master plan by requiring a service capacity analysis or a provider will-serve letter. The analysis of Impact PS-1 concluded that if the implementing agency adopts Mitigation Measure PS-1, the impact would be reduced to less than significant.

The analysis of Impact PS-2 in the MTP/SCS Program EIR determined that increases in demand for parks and recreation facilities could be met within the land use growth footprint of the MTP/SCS

because it includes the land supply needed to accommodate new parks and recreation facilities, if new facilities are required to meet demands. Therefore, the MTP/SCS Program EIR determined that impacts associated with the increased demand for new parks and recreation facilities would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure PS-1: Ensure Adequate Public Services and Utilities Will Be Available to Satisfy Levels Identified in Local General Plans or Service Master Plans.

For the full text of the above-referenced mitigation measure, see Section 3.14, “Public Services,” of this initial study.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento’s 2030 General Plan, it is anticipated that the impact of the proposed project would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

- A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?**
- B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2030 General Plan?**

For the response to City of Sacramento Environmental Checklist Questions A) and B), see State CEQA Guidelines Appendix G Environmental Issues a) and b), above. For the reasons described above, it is anticipated that the impact of the proposed project would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

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3.16

TRANSPORTATION/TRAFFIC

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Transportation/Traffic. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Intersections	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Adversely affect Level of Service?				
B) Transit Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Fail to adequately provide access to transit?				
• Adversely affect public transit operations?				
C) Bicycle Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Adversely affect existing or planned bicycle facilities?				
• Fail to adequately provide for access by bicycle?				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
D) Pedestrian Circulation <ul style="list-style-type: none"> • Adversely affect existing or planned pedestrian facilities? • Fail to adequately provide for access by pedestrians? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E) Construction-Related Impacts <ul style="list-style-type: none"> • Degrade an intersection or roadway to an unacceptable level? • Cause inconveniences to motorists due to prolonged road closures? • Result in increased frequency of potential conflicts between vehicles, pedestrians, and bicyclists? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.16.1 ENVIRONMENTAL SETTING

The project site is located in downtown Sacramento within the city’s Core Area³¹ and is generally bounded by 5th, 7th, N, and P Streets. It is located within the boundaries of the *Central City Community Plan* area. A mix of high-density residential and office complexes is located in the immediate vicinity. Land uses in the vicinity include federal and state offices to the north, west, and east. Two multifamily properties, Governor’s Square and Pioneer House, are located at the southeast and northwest corners, respectively, of 5th and P Streets. In addition, the State of California Central Plant is located on the south side of P Street, across from the project site.

ROADWAY NETWORK

Table 3.16-1 (below) lists characteristics of the existing roadway network for the primary roads providing access to the project site. These roads are all located in downtown Sacramento and provide access primarily to residential and office buildings. They also provide access to nearby freeway facilities, including Interstate 5 and State Route 99. The information in this table was generated based on aerial photography, Google Street View, and a field review performed on April 24, 2014.

ON-STREET PARKING³²

Most of the neighborhood streets surrounding the project site provide on-street parking. On-street parking surrounding the site is generally restricted on weekdays to 1 hour or 2 hours (or parking is prohibited) unless the vehicle has a resident parking permit. Approximately 411 on-street parking spaces are located within one-eighth of a mile of the center of the project site and about 3,356 spaces are located within one-quarter mile.

³¹ The Sacramento Core Area is the area bounded by C Street, the Sacramento River, 30th Street, and X Street.

³² California Public Resources Code Section 21099(d)(1) provides that parking impacts of mixed-use residential projects, like the proposed project, located “on an infill site within a transit priority area shall not be considered significant impacts on the environment.” This initial study includes information regarding parking for informational purposes. Pursuant to Public Resources Code Section 21099, parking impacts associated with the proposed project are not considered significant impacts on the environment under CEQA.

**Table 3.16-1
Roadway Network of Major Roads near the Project Site**

Facility	Functional Classification ^a	Street Direction	Speed Limit (mph)	Number of Lanes	
				NB/EB	SB/WB
Capitol Mall	Arterial	EB/WB	30	2	2
N Street	Arterial	EB only	25	3	0
O Street	Local	EB/WB	25	1	0 ^b
P Street	Arterial	WB only	25	0	3
Q Street	Arterial	EB only	25	3	0
R Street	Local	EB/WB	25	1	1
4th Street	Local	NB/SB	25	1	1
5th Street	Arterial	NB only	30	2	0
6th Street	Local	NB/SB	25	1	1
7th Street	Collector	SB only	30	0	3
8th Street	Collector	NB only	25	3	0

Notes:

EB = eastbound; mph = miles per hour; NB = northbound; SB = southbound; WB = westbound

^a Functional classification is based on Figure M 2B in the Mobility Element of the *Sacramento 2030 General Plan*.

^b O Street is a one-way eastbound street from 7th Street to 9th Street, a transit-only segment between 9th Street and 10th Street, and a one-way westbound street from 10th Street to 11th Street.

Source: Kittelson & Associates 2014

TRANSIT SERVICE

The Sacramento Regional Transit District (RT) provides several bus and light rail routes that run adjacent to or near the project site. The nearest light rail station is located 1 block east of the project site at 8th and O Streets and is served by all three light rail lines (Blue, Gold, and Green). Because it is located in downtown Sacramento, the site is also served by many of the downtown RT bus routes. Table 3.16-2 provides details of the RT routes near the project site.

Additionally, the Sacramento Amtrak station located at 5th and I Street, about six blocks north of the project site, provides access to longer regional trips. A total of 26 bus stops and four light rail stops are located within one-quarter mile of the center of the project site.

PEDESTRIAN AND BICYCLE INFRASTRUCTURE AND VOLUMES

Table 3.16-3 provides an overview of Existing Conditions pedestrian and bicycle activity at the project study intersections. These volumes represent the total number of pedestrians and bicyclists using the intersections during the a.m. and p.m. peak hours.

Existing and proposed bicycle and pedestrian facilities in the project vicinity, as documented in *The 2010 Sacramento City/County Bikeway Master Plan* (City of Sacramento and Sacramento County 2011), are shown in Figure 3.16-1.

**Table 3.16-2
List of Regional Transit Service Routes near the Project Site**

Route	Name	Description	Frequency*
2	Riverside	Riverside Boulevard–Downtown	1
3	Riverside Express	Picket Area–Downtown	4
6	Land Park	Rush River–South Land Park–Downtown	1
7	Pocket Express	Rush River–Downtown	3
15	Rio Linda Boulevard–O Street	Watt/I-80–Downtown	2
29	Arden–California Avenue	Fair Oaks–Arden–Downtown	2
30	J Street	CSUS.–Downtown	4
34	McKinley	University/65th–CSUS–McKinley–Downtown	1
38	P/Q Streets	University/65th–Downtown–River Oaks	1
51	Broadway–Stockton	Florin Mall–Downtown	5
109	Hazel Express	Orangevale–Downtown	2
Blue	Light Rail Blue Line	Watt I-80–Downtown–Meadowview	4
Gold	Light Rail Gold Line	Downtown–Folsom	4
Green	Light Rail Green Line	13th Street–7th Street and Richards/Township 9	2

Notes:
 CSUS = California State University, Sacramento; I-80 = Interstate 80
 * Frequency represents the number of transit vehicles traveling in one route direction per hour in the peak hour.
 Source: Kittelson & Associates 2014 (using <http://www.sacrt.com/>)

**Table 3.16-3
Pedestrian and Bicycle Volumes at the Study Intersections**

Intersection No.	North-South Cross Street	East-West Cross Street	Control	A.M. Peak Hour		P.M. Peak Hour	
				Pedestrian Activity*	Bicycle Activity*	Pedestrian Activity*	Bicycle Activity*
1	4th Street	O Street	TWSC	80	2	86	7
2	5th Street	N Street	Signalized	302	25	413	23
3	5th Street	O Street	TWSC	168	21	199	17
4	5th Street	P Street	Signalized	236	19**	248	17
5	6th Street	P Street	TWSC	86	16	96	5
6	6th Street	Q Street	TWSC	61	5	72	12
7	6th Street	R Street	TWSC	51	31	57	41
8	7th Street	N Street	Signalized	347	13	360	35
9	7th Street	O Street	None	260	8	220	20
10	7th Street	P Street	Signalized	146	26	191	34
11	7th Street	Q Street	Signalized	136	4	139	27
12	7th Street	R Street	TWSC	70	21	64	54
13	8th Street	O Street	Signalized	519	29	537	14

Notes:
 TWSC = two-way stop-controlled
 * Pedestrian and bicycle activity represent total number using the intersection during the peak hour.
 ** Count estimated from nearby intersections
 Source: Kittelson & Associates 2014 and City of Sacramento

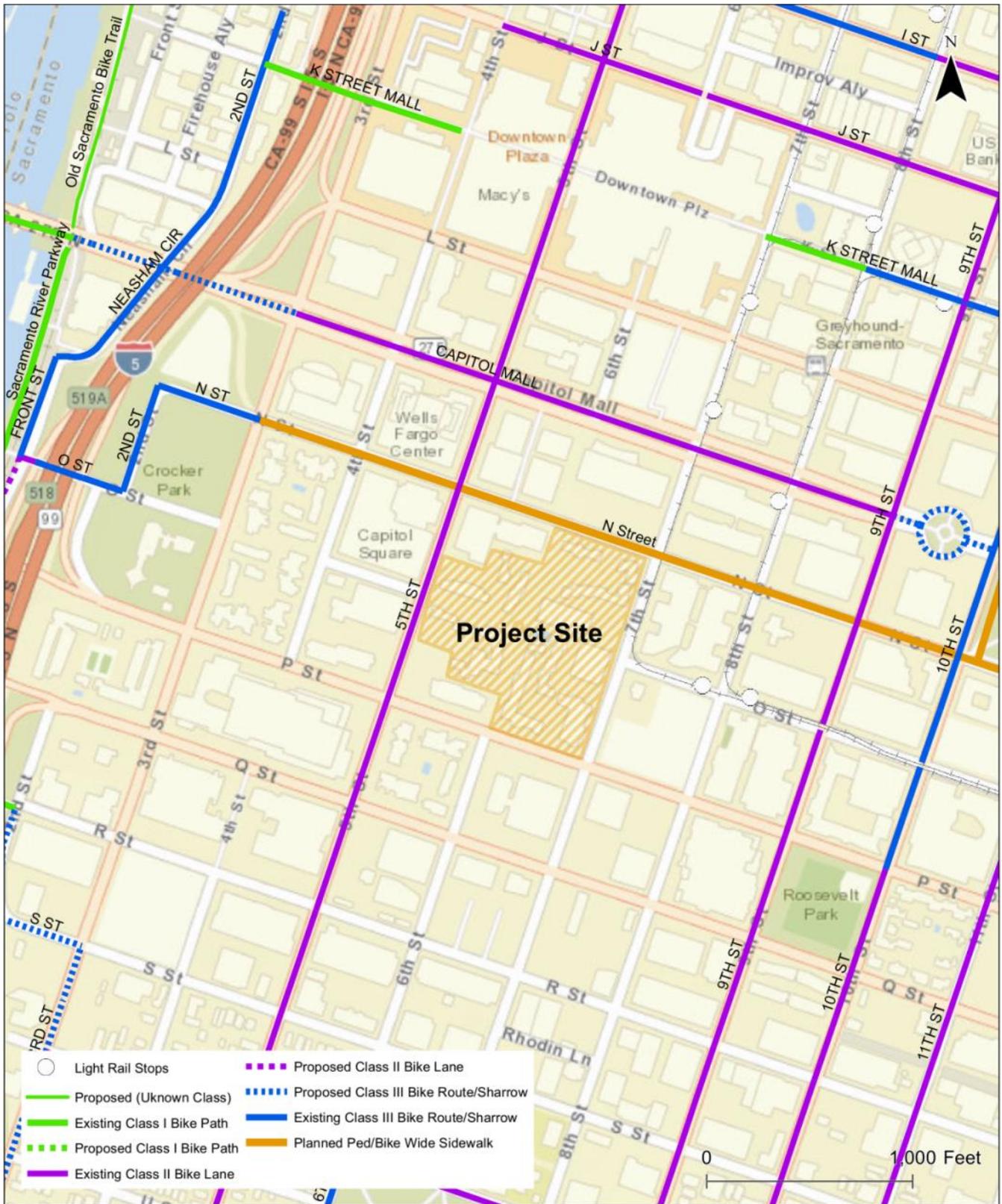


Figure 3.16-1

Pedestrian and Bicycle Infrastructure

According to *The 2010 Sacramento City/County Bikeway Master Plan*, N Street will provide a primary east-west bicycle and pedestrian connection between the Sacramento River and the Capitol with wide sidewalks. Similarly, Capitol Mall provides an east-west connection for bicycles via a Class II bicycle lane. North-south bicycle access is provided via a Class II bicycle lane on 5th Street (northbound) and 9th Street (southbound).

AUTOMOBILE VOLUMES

Figure 3.16-2 illustrates the vehicle volumes, lane configurations, and intersection control types for 13 study intersections under Existing Conditions.

3.16.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

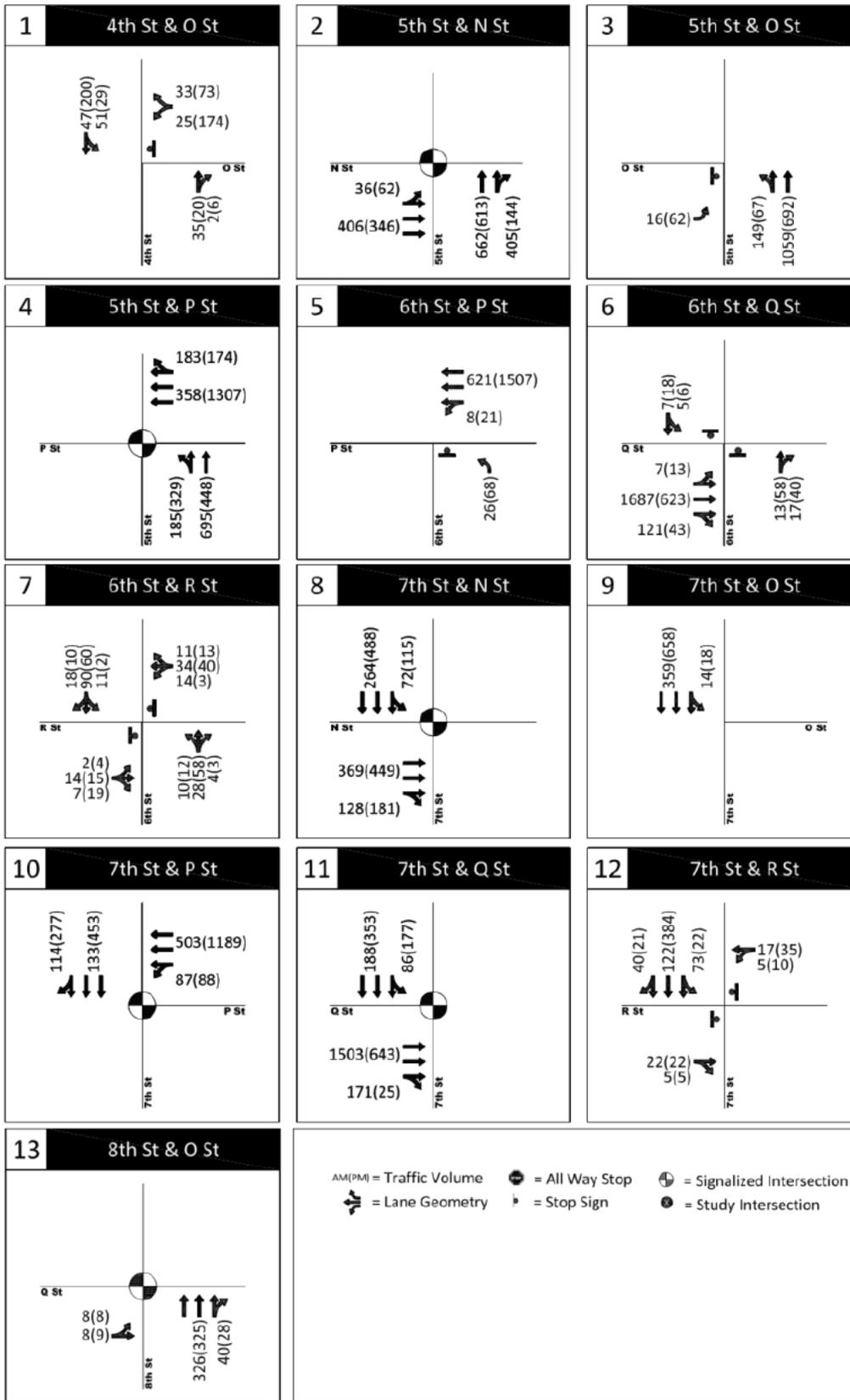
Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no impact in this category. Operational impacts associated with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system were analyzed in Impacts TRN-1, TRN-2, TRN-3, and TRN-4 of the MTP/SCS Program EIR.

The analysis of Impact TRN-1 determined that the MTP/SCS land use and transportation changes in Center and Corridor Communities would reduce the need to travel frequently or over long distances using single-occupancy vehicles, by putting people closer to jobs and other destinations and increasing opportunities to bicycle, walk, or ride transit. Thus, the MTP/SCS Program EIR concluded that this impact would be less than significant.

The analysis of Impact TRN-2 determined that the MTP/SCS land use and transportation changes in Center and Corridor Communities would result in a 2.1% increase in congested vehicle miles traveled (C-VMT) per capita. However, C-VMT in Center and Corridor Communities is 29% below the baseline regional average. The analysis determined that implementing the MTP/SCS would result in a 4.9% increase in C-VMT per capita in Sacramento County TPAs. However, C-VMT in the Sacramento TPAs is 29% below the baseline regional average. The analysis concluded that although C-VMT would increase for both the Center and Corridor Communities and Sacramento County TPAs, the overall C-VMT with the increases would still be well below the baseline regional averages. Thus, the MTP/SCS Program EIR concluded that this impact would be less than significant.

The analysis of Impact TRN-3 determined that the MTP/SCS land use and transportation changes in Center and Corridor Communities would result in a 37.8% increase in per-capita trips by bicycle, walk, or transit. These trips are 183% above the regional baseline average. In Sacramento County TPAs,



Source: Kittleson & Associates Inc. 2014; adapted by AECOM in 2014

Figure 3.16-2 Existing Conditions—Volume, Lane Configuration, and Intersection Control

there would be a 27.0% increase in per-capita trips by bicycle, walk, or transit. These trips are 118% above the regional baseline average. The results of this increase would be a larger number of residents using alternative means of transportation; a greater use of bicycle, walk, or transit; and a reduction in the number of cars on the road as a result of development in the Center and Corridor Communities. Thus, the MTP/SCS Program EIR concluded that this impact would be less than significant.

The analysis of Impact TRN-4 determined that implementing the MTP/SCS would significantly increase transit productivity in all counties and the region as a whole. The analysis anticipated that those transit productivity improvements would extend to the Center and Corridor Communities by increasing high-quality local and commuter transit service and transit-supportive land uses. The analysis determined that in addition to compact development, complementary, mixed-use development supports shorter vehicle trips and higher rates of nonmotorized travel in the Sacramento County TPAs. Thus, the MTP/SCS Program EIR concluded that this impact would be less than significant.

Conclusions

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Operational impacts associated with transportation projects were analyzed in Impact 6.12-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.12-1 determined that implementing the 2030 General Plan could result in roadways that would not meet the City's current LOS C standard or the proposed LOS D-E goal. The analysis determined that many roadway segments could meet City standards if lanes were to be added, but recognized that roadway widening was not feasible in all cases. The analysis concluded that implementing 2030 General Plan Policy M 1.2.2 would not improve traffic flow, but would provide policy consistency within the 2030 General Plan. Therefore, the 2030 General Plan Master EIR concluded that this impact would be potentially significant and unavoidable.

Construction impacts associated with transportation projects were analyzed in Impact TRN-7 of the MTP/SCS Program EIR. The analysis of Impact TRN-7 determined that construction activities to implement the land use and transportation changes would have the potential to interfere with the normal operations of the localized transportation system. Interference with local transportation systems could occur where activities disrupt traffic in one or more travel lanes, sidewalks, or bicycle routes by causing detours or bottlenecks. Also, certain large construction projects may increase travel on local roads not designated for heavier traffic volumes as workers and supplies travel to and from the sites. The MTP/SCS Program EIR recommended implementation of Mitigation Measure TRN-3, which requires the adoption of best practice strategies to reduce construction-related traffic impacts. However, the MTP/SCS concluded that this impact would be potentially significant and unavoidable.

Operational impacts associated with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system were analyzed in Impacts TRN-1, TRN-2, TRN-3, and TRN-4 of the MTP/SCS Program EIR. As discussed above under Environmental Issue a), the MTP/SCS Program EIR concluded that Impacts TRN-1 through TRN-4 would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure TRN-3: Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

The implementing agency should implement some or all of the following strategies in order to reduce the localized transportation system impacts from construction activities.

- Apply special construction techniques (e.g., directional drilling or night construction) to minimize impacts to traffic flow and provide adequate access to important destinations in the area.
- Develop circulation and detour plans to minimize impacts to local street impacts from construction activity on nearby major arterials. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.
- Establish truck “usage” routes that minimize truck traffic on local roadways to the extent possible.
- Schedule truck trips outside of peak morning and evening commute hours.
- Limit the number of lane closures during peak hours to the extent possible.
- Identify detours for bicycles and pedestrians in all areas potentially affected by project construction and provide adequate signage to mark these routes.
- Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.
- Develop and implement access plans for potentially impacted local services such as police and fire stations, transit stations, hospitals, schools and parks. The access plans should be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor.
- Store construction materials only in designated areas that minimize impacts to nearby roadways.
- Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary.

Conclusions

The existing 206 garden apartment units on the project site, along with an associated parking structure, parking lots, and landscape areas, would be demolished to accommodate the proposed project. All construction staging areas would be contained to the project site. Demolition and construction activities and equipment could affect traffic levels in the area immediately surrounding the project site.

The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure TRN-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with airport safety were analyzed in Impact 6.6-3 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-3 determined that all air traffic in Sacramento is subject to many stringent regulations, enforced by agencies such as the Federal Aviation Administration and California Department of Transportation, to protect the public from potential aircraft hazards or other safety concerns. The City's Multi-Hazard Emergency Plan contains strategies to help plan for disaster events in the city, including an unlikely but major transportation incident such as an aircraft crash. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts associated with airport safety hazards were analyzed in Impacts HAZ-5 and HAZ-6 of the MTP/SCS Program EIR. The analysis of Impacts HAZ-5 and HAZ-6 found that projects near public airports and private airstrips could result in safety hazards. However, the MTP/SCS Program EIR concluded that the impact would be less than significant.

Conclusions

The project site is located 4 miles from the nearest public airport or private airstrip, and Federal Aviation Administration regulations dictate the types of warning lights and beacons that must be placed on high-rise buildings. Therefore, impacts related to airport safety would be **less than significant**. However, the issue will be evaluated further in the Hazards and Hazardous Materials section of an EIR.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no impacts in this category.

Construction impacts associated with design features or incompatible uses were analyzed in Impact TRN-7 of the MTP/SCS Program EIR. The analysis of Impact TRN-7 determined that construction

activities to implement the land use and transportation changes would have the potential to interfere with the normal operations of the localized transportation system. Interference with local transportation systems could occur where activities disrupt traffic in one or more travel lanes, sidewalks, or bicycle routes by causing detours or bottlenecks. Also, certain large construction projects may increase travel on local roads not designated for heavier traffic volumes as workers and supplies travel to and from the sites. The MTP/SCS Program EIR recommended implementation of Mitigation Measure TRN-3, which requires the adoption of best practice strategies to reduce construction-related traffic impacts. However, the MTP/SCS concluded that this impact would be potentially significant and unavoidable.

The MTP/SCS Program EIR identified no operational impacts in this category.

Mitigation Measures Required by the MTP/SCS Program EIR and 2030 General Plan Master EIR

MTP/SCS EIR Mitigation Measure TRN-3: Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue b), above.

MTP/SCS EIR Mitigation Measure AES-2: Design structures to avoid or reduce impacts resulting from glare.

The implementing agency should minimize and control glare from land use and transportation projects through the adoption of project design features that reduce glare. These features include:

- limiting the use of reflective materials, such as metal;
- using non-reflective material, such as paint, vegetative screening, matte finish coatings, and masonry;
- screening parking areas by using vegetation or trees;
- using low-reflective glass; and
- complying with applicable general plan policies or local controls related to glare.

2030 General Plan Master EIR Mitigation Measure 6.13-1: Design structures to avoid or reduce impacts resulting from glare.

The City shall amend the Zoning Code to prohibit new development from:

- 1) using reflective glass that exceeds 50 percent of any building surface and on the ground three floors;
- 2) using mirrored glass;
- 3) using black glass that exceeds 25 percent of any surface of a building; and

- 4) using metal building materials that exceed 50 percent of any street-facing surface of a primarily residential building.

Conclusions

Construction activities for the proposed project could result in safety hazards from detours, bottlenecks, or disruption of bicycle or pedestrian facilities. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measures TRN-3, AES-2, and 6.13-1.³³ Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in the Hazards and Hazardous Materials section of an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

e) Result in inadequate emergency access?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction impacts from interference with emergency access were analyzed in Impact 6.6-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.6-1 determined that although lane restrictions and road closures may be necessary during construction activities, Sections 12.20.020 and 12.20.030 of the Sacramento City Code require all development projects to prepare traffic control plans for construction activities. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts associated with interference with emergency access were analyzed in Impacts HAZ-7 and HAZ-9 of the MTP/SCS Program EIR. The analyses of Impacts HAZ-7 and HAZ-9 found that future construction and operation of projects in the Center and Corridor Communities would consist primarily of infill in already developed areas where emergency evacuation routes are already established. Emergency response and emergency evacuation plans are designed by the Office of Emergency Services for each county in the region to respond to a possible emergency situation (e.g., fires, floods, earthquakes). These plans provide a process for evacuating people from danger, and preventing or minimizing loss of life and property. The MTP/SCS Program EIR concluded that this impact would be less than significant.

Conclusions

Project-related construction activities could result in temporary lane or street closures, which could affect emergency access and evacuation routes. However, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-**

³³ Mitigation Measure AES-2 from the MTP/SCS Program EIR and Mitigation Measure 6.13-1 from the 2030 General Plan Master EIR were addressed in the context of aesthetic impacts within both the MTP/SCS Program EIR and the 2030 General Plan Master EIR. As discussed in Section 3.1, "Aesthetics," of this initial study, pursuant to statute the proposed project's potential aesthetic impacts are considered less than significant. However, the City has determined that potential impacts associated with glare could constitute a traffic hazard. Therefore, these aesthetic mitigation measures are incorporated as mitigation to address potential traffic hazards caused by design features.

than-significant impact with respect to this issue. However, the issue will be evaluated further in the EIR.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no construction impacts in this category.

Operational impacts associated with the performance or safety of public transit, bicycle, or pedestrian facilities or systems were analyzed in Impacts 6.12-4, 6.12-5, and 6.12-6 of the 2030 General Plan Master EIR.

The analysis of Impact 6.12-4 of the 2030 General Plan Master EIR determined that implementing the 2030 General Plan would increase citywide transit trips by 49% compared to the 2030 No Project scenario. The Mobility Element of the 2030 General Plan includes policies (M 1.1.3, M 1.2.1 through M 1.2.3, M 1.3.5, M 1.4.1 through M 1.4.3, M 3.1.1 through M 3.1.7, M 3.1.9, M 3.1.11 through M 3.1.15, M 9.1.1, and M 9.1.5) that specifically address providing a safe, comprehensive, and integrated transit system throughout the city. In addition, policies in the Land Use and Urban Design Element (LU 1.1.1, 1.1.4, 2.1.3, 2.5.1, 2.6.4, 2.7.6, and 5.5.2) support increased transit use and access to transit. The 2030 General Plan Master EIR concluded that with implementation of these policies, this impact would be less than significant.

The analysis of Impact 6.12-5 of the 2030 General Plan Master EIR determined that implementing the 2030 General Plan would increase citywide pedestrian trips by approximately 35% compared to the 2030 No Project scenario. The Mobility Element of the 2030 General Plan includes policies (M 1.1.3, M 1.2.1 through M 1.2.3, M 1.3.5, M 2.1.1 through M 2.1.10, M 4.2.1 through M 4.2.6, and M 9.1.1) that specifically address providing a universally accessible, safe, convenient, and integrated pedestrian system throughout the city. In addition, policies in the Land Use and Urban Design Element (LU 1.1.1, 1.1.4, 2.1.3, 2.5.1, 2.5.2, 2.6.4, 2.7.5, 4.1.3, 4.1.4, 4.2.1, 6.1.8, and 7.1.2) support increased walking. The analysis of Impact 6.12-5 concluded that these policies would ensure that implementation of the 2030 General Plan would not adversely affect pedestrian facilities, and no mitigation was required. Thus, the 2030 General Plan Master EIR concluded that this impact would also be less than significant.

The analysis of Impact 6.12-6 of the 2030 General Plan Master EIR determined that implementing the 2030 General Plan would increase citywide bicycle trips by approximately 22% compared to the 2030 No Project scenario. The Mobility Element of the 2030 General Plan includes policies (M 1.1.3, M 1.2.1 through M 1.2.3, M 1.3.5, M 4.2.1 through M 4.2.6, M 5.1.1 through M 5.1.13, and M 9.1.1) that specifically address providing a safe, comprehensive, and integrated bikeway system throughout the city. The analysis of Impact 6.12-6 concluded that these policies would ensure that implementing the 2030 General Plan would not adversely affect bicycle facilities. Thus, the 2030 General Plan Master EIR concluded that this impact would also be less than significant.

Construction impacts on public transit, bicycle, or pedestrian systems were analyzed in Impact TRN-7 of the MTP/SCS Program EIR. The analysis of Impact TRN-7 determined that construction activities to

implement the land use and transportation changes would have the potential to interfere with the normal operations of the localized transportation system, including transit, bicycle, and pedestrian movement. Interference with local transportation systems could occur where activities disrupt traffic in one or more travel lanes, sidewalks, or bicycle routes by causing detours or bottlenecks. Also, certain large construction projects may increase travel on local roads not designated for heavier traffic volumes as workers and supplies travel to and from the sites. The MTP/SCS Program EIR recommended implementation of Mitigation Measure TRN-3, which requires the adoption of best practice strategies to reduce construction-related traffic impacts. However, the MTP/SCS concluded that this impact would be potentially significant and unavoidable.

Impacts associated with interference with existing or planned bicycle and pedestrian facilities were analyzed in Impact TRN-5 of the MTP/SCS Program EIR. The analysis of Impact TRN-5 determined that Center and Corridor Communities would have various transportation improvements by 2035 and a limited number of these projects may interfere with the existing or planned bicycle and pedestrian system. However, the MTP/SCS would support land uses more supportive of nonmotorized travel and was forecasted to increase regional transit, bicycle, and pedestrian trips per capita. Thus, the MTP/SCS Program EIR concluded that this impact would be less than significant.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure TRN-3: Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

For the full text of the above-referenced mitigation measure, see “Mitigation Measures Required by the MTP/SCS Program EIR” under Environmental Issue b), above.

Conclusions

As discussed under Environmental Issues a) and b) above, construction activities could affect transit, bicycle, and pedestrian facilities. The MTP/SCS Program EIR concluded that this impact would be potentially significant and unavoidable even after implementation of Mitigation Measure TRN-3. Therefore, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

With respect to operational impacts, the proposed project would result in an increase in vehicle, bicycle, and pedestrian trips in the study area by residents and retail patrons, which may lead to an increased potential for pedestrian/bicycle or pedestrian/motor vehicle conflicts. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento’s 2030 General Plan, it is anticipated that the proposed project would result in a less-than-significant impact with respect to this operational issue. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) Intersections

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The MTP/SCS Program EIR identified no construction or operational impacts in this category. Policy M 1.2.2 in the 2030 General Plan's Mobility Element sets the definitions for what is considered an acceptable level of service. The Core Area LOS Exemption (Policy M 1.2.2a) is appropriate for the proposed project because it is located within the Core Area as defined in 2030 General Plan Policy M 1.2.2. Therefore, LOS F is acceptable during the peak hours, provided that the project provides improvements to other citywide transportation systems in the project vicinity. Thus, if the project were to worsen operations at an intersection to LOS F, this conclusion is noted and then a supplemental evaluation is initiated to determine whether the project provides improvements to other parts of the citywide transportation system.

This impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

B) Transit Service

C) Bicycle Facilities

D) Pedestrian Circulation

For the response to City of Sacramento Environmental Checklist Questions B, C, and D, see State CEQA Guidelines Appendix G Environmental Issue f), above. Although operational impacts are anticipated to be less than significant, the MTP/SCS Program EIR concluded that construction-related impacts would be potentially significant and unavoidable even after implementation of Mitigation Measure TRN-3 (see above). Therefore, these impacts are considered **potentially significant** for the proposed project. Both construction and operational impacts will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to these issues can be reduced to a less-than-significant level for the proposed project.

E) Construction-Related Impacts

See State CEQA Guidelines Appendix G Environmental Issue d), above. The MTP/SCS Program EIR concluded that construction-related impacts would be potentially significant and unavoidable even after implementation of Mitigation Measure TRN-3 (see above). Therefore, these impacts are considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

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3.17 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Utilities and Service Systems. Would the project:				
<i>State CEQA Guidelines Appendix G Questions</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>City of Sacramento Environmental Checklist Questions</i>				
A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.17.1 ENVIRONMENTAL SETTING

The City of Sacramento is the water purveyor for the proposed project. The City's water supply is obtained from three sources:

- ▶ surface water from the American River,
- ▶ surface water from the Sacramento River, and
- ▶ groundwater from the North American and South American Subbasins.

Future water demands were calculated based on projected water demands associated with all development projected and analyzed in the 2030 General Plan and the 2030 General Plan Master EIR (City of Sacramento 2011:2-11).

WATER CONVEYANCE AND TREATMENT FACILITIES

The City's water distribution system is a pipeline network in which surface water and groundwater are mixed. The City Department of Utilities operates and maintains the City's two water treatment plants. Water diverted from the Sacramento River is treated at the Sacramento River Water Treatment Plant (SRWTP), located along the Sacramento River just downstream of its confluence with the American River. The capacity of the SRWTP is 135 million gallons per day (mgd); design is under way for a project to rehabilitate the older facilities at the SRWTP to bring the capacity back to 160 mgd by 2016 (City of Sacramento 2011:2-4).

WASTEWATER COLLECTION AND CONVEYANCE FACILITIES

The City Department of Utilities provides wastewater collection services in Sacramento. The City originally used a combined sewer system (CSS) that provided both sewage and drainage services to more than 24,000 parcels in downtown, midtown, Land Park, and East Sacramento. The system, established in the 1800s, collected sewage and stormwater in the same pipe. However, storm runoff near the project site is conveyed separately, and the project site is served by the City's CSS for sewer only.

WASTEWATER TREATMENT FACILITIES

Wastewater flows collected from Sacramento Regional County Sanitation District (SRCSD) interceptors are ultimately transported into the Sacramento Regional Wastewater Treatment Plant (SRWWTP). The SRWWTP is located in Elk Grove and is owned and managed by SRCSD. Currently, the SRWWTP has a National Pollutant Discharge Elimination System (NPDES) permit issued by the Central Valley Regional Water Quality Control Board (RWQCB) for discharge of up to 181 mgd of treated effluent into the Sacramento River. As of 2013, the SRWTP receives and treats an average of 119 mgd and the SRWWTP discharge constituents are below permitted discharge limits specified in the NPDES permit (SRCSD 2013).

STORMWATER COLLECTION

The City Department of Utilities maintains the City's storm drainage facilities. The project site is within the City's Basin 52 drainage shed. Unlike most of the downtown area, this drainage shed area separates storm runoff from the existing CSS and conveys storm drainage flows in dedicated drainage pipes. The system flows to Sump 52, located near the south side of the Crocker Art Museum at 2nd and P Streets. From this location it pumps storm drainage to the Sacramento River. The storm drainage for the project site is collected and directed to various connection points in N, P, and 7th Streets.

SOLID WASTE

Solid waste collection services in Sacramento, including residential and a small portion of commercial garbage pickup, recycling, and yard waste hauling, are provided by the City's Recycling and Solid Waste Division. In 2012, the City disposed of a total of 401,445 tons of solid waste (CalRecycle 2012).

Most refuse collected by the City is transported to the Sacramento Recycling and Transfer Station and, ultimately, to the Lockwood Regional Landfill in Sparks, Nevada. The Sacramento Recycling and Transfer Station, which is owned and operated by BLT Enterprises, is limited to accepting 2,500 tons per day (tpd) of solid waste (CalRecycle 2014a).

The Lockwood Regional Landfill is owned and operated by a private firm, Waste Management Inc., and is the primary location for the disposal of waste by the City. This landfill is permitted to accept municipal solid waste and construction and demolition debris and receives approximately 5,000 tpd of waste. The landfill has a total maximum permitted capacity of 302.5 million cubic yards and approximately 270 million cubic yards of available capacity (NDEP 2014). The anticipated closure date of the Lockwood Regional Landfill is approximately 2113 (Applied Soil Water Technologies 2011).

Waste is also processed at the North Area Recovery Station, which is owned and operated by Sacramento County and is limited to accepting 2,400 tpd (CalRecycle 2014b). Waste brought to this station is transported to the Kiefer Landfill. Sacramento County owns and operates the Kiefer Landfill, and the landfill is the primary solid waste disposal facility in the county. The landfill is permitted to accept a maximum of 10,800 tpd of solid waste and currently has a permitted capacity of approximately 117 million cubic yards. The closure date of the Kiefer Landfill is anticipated to be approximately 2064 (CalRecycle 2014c).

3.17.2 DISCUSSION

STATE CEQA GUIDELINES APPENDIX G QUESTIONS

- a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

- e) **Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?³⁴**

³⁴ This environmental issue addresses the question set forth in City of Sacramento Environmental Checklist Question A.

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no construction impacts associated with wastewater discharges exceeding the Central Valley RWQCB's requirements or with exceedance of wastewater treatment capacity.

Operational impacts associated with the SRWWTP's capacity to serve new development permitted under the 2030 General Plan were analyzed in Impact 6.11-3 of the 2030 General Plan Master EIR. The analysis of Impact 6.11-3 evaluated the capacity of existing and proposed infrastructure to ensure that it could meet additional demand from new development permitted under the 2030 General Plan in addition to existing commitments. The 2030 General Plan Master EIR determined that new development permitted under the 2030 General Plan, in addition to existing commitments, would result in an increase in wastewater flows that would require conveyance to and treatment at the SRWWTP. However, the 2030 General Plan Master EIR concluded that this impact would be less than significant.

The MTP/SCS Program EIR identified no construction or operational impacts in this category.

Conclusions

Construction of the proposed project does not include activities that would generate wastewater on the project site. The Central Valley RWQCB has adopted a general NPDES permit for short-term discharges of small volumes of wastewater from certain construction-related activities. Construction of the proposed project would not generate wastewater discharges that would exceed the Central Valley RWQCB's requirements and would not result in the exceedance of wastewater treatment capacity.

Wastewater flows collected from the project site would ultimately be transported to the SRWWTP for treatment and disposal. Currently, the SRWWTP's discharge constituents are below permitted discharge limits specified in the Central Valley RWQCB's NPDES permit (SRCSD 2013).

The proposed project would not generate wastewater discharges that would exceed the Central Valley RWQCB's requirements, and the SRWWTP would have sufficient capacity to treat wastewater flows generated by the proposed project in addition to existing commitments.

Additionally, because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?³⁵**

³⁵ This environmental issue addresses the question set for in City of Sacramento Environmental Checklist Question B. See also Environmental Issue c), which further addresses the question set forth in City of Sacramento Environmental Checklist Question B.

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with expansion of existing water and wastewater treatment facilities were analyzed in Impacts 6.11-2 and 6.11-4 of the 2030 General Plan Master EIR. The analysis of Impact 6.11-2 determined that new development permitted under the 2030 General Plan would increase demand for water diversion and treatment capacity. Policy U 1.1.6 requires new development to provide adequate facilities or pay its fair share of facilities needed to accommodate growth without adversely affecting existing service levels. The 2030 General Plan Master EIR concluded that this impact would be potentially significant and unavoidable.

Construction and operational impacts on water and wastewater conveyance and treatment facilities were analyzed in Impacts USS-2 and USS-3 of the MTP/SCS Program EIR. The analysis of Impact USS-2 determined that increased water supply demand associated with new development, including development in the Center and Corridor Communities, could proportionally increase the demand for water storage, conveyance, distribution, and treatment facilities. Some of this increased demand would likely be met with existing infrastructure. However, it is likely that by the end of the MTP/SCS planning period (i.e., 2030), increases in water usage would cause existing or planned water storage, conveyance, distribution, and treatment facilities to exceed capacity, requiring construction of additional facilities. The MTP/SCS Program EIR recommended implementation of Mitigation Measures USS-1 and USS-2 to address this impact. The MTP/SCS Program EIR concluded that this impact would be less than significant with implementation of these measures.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measures USS-1 and USS-2: Ensure Adequate Public Services and Utilities Will Be Available to Satisfy Levels Identified in Local General Plans or Service Master Plans.

For the full text of the above-referenced mitigation measure, see Section 3.14, “Public Services,” of this initial study. These mitigation measures require implementation of Mitigation Measure PS-1 as presented in Section 3.14.

Conclusions

Implementation of the proposed project would require construction of on-site water supply and wastewater conveyance facilities. The project site is served by a system of looped water mains surrounding the site. The proposed project would increase demand for water and wastewater treatment. The City’s existing surface water treatment plants maintain a total treatment capacity of 335 mgd or 375,495 acre-feet per year (afy). The City currently treats less than 150,000 afy of surface water; thus, the City maintains more than 200,000 afy in available treatment capacity.

The SRWWTP would have sufficient capacity to treat wastewater flows generated by the proposed project; therefore, implementation of the proposed project would not result in the expansion of existing or construction of new wastewater treatment facilities.

Because the 2030 General Plan Master EIR concluded that this impact would be potentially significant and unavoidable, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented

in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

Construction and operational impacts associated with stormwater drainage facilities were analyzed in Impact 6.11-3 of the 2030 General Plan Master EIR. The analysis of Impact 6.11-3 determined that new development permitted under the 2030 General Plan would result in an increase in demand for stormwater drainage facilities. However, the 2030 General Plan policies include measures to accommodate growth and the increased demand for stormwater drainage facilities. The 2030 General Plan concluded that this impact would be less than significant.

The MTP/SCS Program EIR identified no construction or operational impacts associated with the construction of new stormwater drainage facilities.

Conclusions

The proposed project would use a network of on-site conveyance pipelines to carry the project's stormwater drainage to the City's existing separate storm drain system connections in N, P, and 7th Streets. Implementation of the proposed project would require construction of on-site stormwater drainage facilities. The impacts of constructing such facilities are addressed throughout this document in connection with discussions of the impacts of overall site development. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no construction-related impacts associated with water supply demand.

Operational impacts associated with water supply demand were analyzed in Impact 6.11-1 of the 2030 General Plan Master EIR. The analysis of Impact 6.11-1 determined that buildout of the 2030 General Plan would result in an increase in demand for potable water. The 2030 General Plan Master EIR concluded that the City's water right permits and U.S. Bureau of Reclamation contracts authorize sufficient water amounts to accommodate both existing demand and additional demand as projected under the 2030 General Plan. Therefore, the 2030 General Plan Master EIR concluded that this impact would be less than significant.

Operational impacts on water supply were analyzed in Impact USS-1 of the MTP/SCS Program EIR. The analysis of Impact USS-1 determined that new development, including development in the Center and Corridor Communities, could increase the demand for surface water or groundwater to meet the demands of new population and employment growth. Water purveyors would likely coordinate with individual development projects to ensure that water supplies are available to serve new development. The City of Sacramento is the water purveyor for the city, and the project applicant is coordinating with the City to ensure that water supplies are available to meet the demands of the proposed project. The analysis concluded that the implementing agency should adopt Mitigation Measure USS-1, which would ensure that water supplies would be available to meet or satisfy demands by requiring a service capacity analysis or a provider will-serve letter. Thus, the MTP/SCS Program EIR concluded that implementing Mitigation Measure USS-1 would reduce this impact to a less-than-significant level.

Mitigation Measures Required by the MTP/SCS Program EIR

Mitigation Measure USS-1: Ensure Adequate Public Services and Utilities Will Be Available to Satisfy Levels Identified in Local General Plans or Service Master Plans.

For the full text of the above-referenced mitigation measure, see Section 3.14, “Public Services,” of this initial study. This mitigation measure requires implementation of Mitigation Measure PS-1 as presented in Section 3.14.

Conclusions

Implementation of the proposed project would result in a short-term increase in demand for water supplies during the construction period. Project construction would require water for dust suppression, grading, general demolition, and construction activities. Within the project site, water would be supplied by existing water mains/connections provided by the City. Construction-related water demands would be approximately 1.0 acre-foot of water per month, on average, consistent with typical regional construction water consumption for urban projects (City of Sacramento 2013).

Implementation of the proposed project would result in an increased demand for water supplies. The City of Sacramento is the water purveyor for the proposed project, and water supply for the proposed project would be provided by the American and Sacramento Rivers. Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento’s 2030 General Plan, it is anticipated that the impact of the proposed project with respect to this issue would be **less than significant with mitigation incorporated**. However, the issue will be evaluated further in the EIR.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR

The 2030 General Plan Master EIR identified no construction-related impacts in this category.

Operational impacts associated with solid waste were analyzed in Impact 6.11-7 of the 2030 General Plan Master EIR. The analysis of Impact 6.11-7 determined that new development permitted under the 2030 General Plan would result in an increase in solid waste sent to transfer centers and landfills. However, the policies from the 2030 General Plan include measures to accommodate growth and the increased amount of solid waste requiring disposal. Implementation of the adopted Sacramento Regional Solid Waste Authority (SWA) Business Recycling Ordinance would ensure that solid waste and recycling facilities such as transfer stations are provided throughout Sacramento to help reduce the amount of waste sent to landfills. The programs provided through policies identified in Impact 6.11-7 are designed to ensure that the City continues to provide recycling and clean-up services for its residents and businesses. Many of these programs are already in place, and continue to promote waste diversion, which will help reduce waste flow to landfills. The 2030 General Plan Master EIR concluded that this impact would be less than significant.

Construction and operational impacts on solid waste disposal facilities were analyzed in Impact USS-3 of the MTP/SCS Program EIR. As discussed above, the analysis of Impact USS-3 determined that new development, including development in the Center and Corridor Communities, could require the construction of new utility and service system infrastructure to maintain adequate service. The land use growth footprint of the proposed MTP/SCS includes the land supply needed to accommodate necessary increases in utilities and service systems, with the exception of construction of new solid waste disposal facilities. Mitigation Measure USS-3 in the MTP/SCS Program EIR states that the implementing agency should undertake project-level review as necessary to provide CEQA approval for new wastewater treatment plants, landfills, and similar large utility facilities. The MTP/SCS Program EIR concluded that this impact would be less than significant with implementation of Mitigation Measure USS-3.

Conclusions

Because the proposed project is not anticipated to require construction of new wastewater treatment plants, landfills, or similar large utility facilities, Mitigation Measure USS-3 is not applicable to the proposed project. Implementation of the proposed project would generate temporary and short-term debris and waste during construction. Construction of the proposed project would remove the 206 existing two- and three-story garden apartment units, the swimming pool, and some existing trees and landscaping. Demolition would include concrete, metal, wood, plastics, and various other demolition-related materials. After demolition and site clearing, construction of the proposed project would result in the generation of various construction-period wastes, such as scrap lumber, scrap finishing materials, and various scrap metals. Construction of the proposed project would not generate waste that violates any applicable federal, state, or local solid waste regulations.

Implementation of the proposed project would result in increased long-term generation of solid waste during operation. The City provides recycling programs, such as curbside recycling of paper, plastics, and bottles, to reduce the volume of solid waste transported to landfills. In addition, SWA recycling ordinances reduce wastes further by requiring businesses and multifamily residential uses to recycle designated recyclable materials. The proposed project does not include any components that would violate any applicable federal, state, or local solid waste regulations.

Because the proposed project is consistent with the general use designation, density, building intensity, and applicable policies in the MTP/SCS and Sacramento's 2030 General Plan, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issue e), above. For the reasons described above, it is anticipated that the proposed project would result in a **less-than-significant** impact with respect to this issue. However, the issue will be evaluated further in the EIR.

B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?

For the response to City of Sacramento Environmental Checklist Question A), see State CEQA Guidelines Appendix G Environmental Issue b), above. For the reasons described above, this impact is considered **potentially significant** for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to this issue can be reduced to a less-than-significant level for the proposed project.

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3.18 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Mandatory Findings of Significance. Would the project:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.18.1 DISCUSSION

STATE CEQA GUIDELINES APPENDIX A QUESTIONS

- c) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

As discussed in Section 3.4, “Biological Resources,” of this initial study, the project site contains several trees that provide potential nesting habitat for special-status bird species including Swainson’s hawk, Cooper’s hawk, and white-tailed kite. Construction of the proposed project would result in the removal of up to four Heritage Trees and four City Street Trees (Dudek 2014). The project has the potential to affect nesting bird species and would result in the removal of or other impacts on trees protected by the City. The MTP/SCS Program EIR concluded that biological resource impacts would be potentially significant and unavoidable even after implementation of Mitigation Measure BIO-2. Similarly, as discussed in Section 3.5, “Cultural Resources,” of this initial study, the MTP/SCS Program EIR concluded that cultural resource impacts would be potentially significant and unavoidable even after implementation of Mitigation Measures CR-1 through CR-4. Therefore, these impacts are considered

potentially significant for the proposed project and will be evaluated further in an EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to these issues can be reduced to a less-than-significant level for the proposed project.

d) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Public Resources Code Section 21155.2(c)(1) provides that the initial study for a qualifying transit priority project should “identify any cumulative effects that have been adequately addressed and mitigated pursuant to the requirements of [CEQA] in prior applicable certified environmental impact reports.” As discussed in Chapter 2, “Project Description,” and throughout this initial study, the City has determined that the Sacramento 2030 General Plan Master EIR and MTP/SCS Program EIR are applicable certified EIRs for the purposes of analyzing potential impacts of the proposed project. “Where the lead agency determines that a cumulative effect has been adequately addressed and mitigated [in the applicable certified environmental impact reports], th[ose] cumulative effect[s] shall not be treated as cumulatively considerable for the purposes of [CEQA].” (Public Resources Code, Section 21155.2[c][1].)

Relevant cumulative effects addressed and, where applicable, mitigated in the 2030 General Plan Master EIR and MTP/SCS Program EIR are identified in Tables 3.18-1 and 3.18-2 below.

Table 3.18-1 Relevant Cumulative Impacts Addressed in the 2030 General Plan Master EIR		
Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
Impact 6.1-10: Implementation of the proposed 2030 General Plan, in conjunction with other development in the SVAB, could result in CO cumulative concentrations that exceed the 1-hour State ambient air quality standard of 20.0 ppm or the 8-hour State ambient standard of 9.0 ppm.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.1-11: Implementation of the proposed 2030 General Plan, in conjunction with other development in the SVAB, would generate TAC emissions that could adversely affect sensitive receptors.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.3-12: Implementation of the City’s 2030 General Plan combined with buildout assumed in the greater Sacramento Valley could result in a regional potential health hazard, or involve the use, production or disposal of materials that pose a hazard to plant or animal populations in the affected area.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.3-13: Implementation of the City’s 2030 General Plan and regional buildout assumed in the Sacramento Valley could result in a regional loss of special-status plant or wildlife species or their habitat.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.3-14: Implementation of the City’s 2030 General Plan and regional buildout assumed in the Central Valley could contribute to the cumulative loss of sensitive natural communities including wetlands and riparian habitat in the region.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant

**Table 3.18-1
Relevant Cumulative Impacts Addressed in the 2030 General Plan Master EIR (Continued)**

Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
Impact 6.5-6: Implementation of the proposed 2030 General Plan, in combination with other development in Sacramento County, would not result in the loss of the availability of known mineral resources of State, regional, or local importance.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.5-7: Implementation of the 2030 General Plan, in conjunction with other development within the Central Valley, could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.6-3: Implementation of the 2030 General Plan combined with each airport's ALUCP within and adjacent to the Policy Area may result in the exposure of people to hazards associated with interference to emergency response and airport hazards during the life of the General Plan.	None after compliance with applicable Sacramento City Code requirements and the 2030 General Plan	Less than significant
Impact 6.7-5: Implementation of the proposed 2030 General Plan, in addition to other projects in the watershed, could result in the generation of polluted runoff that could violate water quality standards or waste discharge requirements for receiving waters.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.7-6: Implementation of the 2030 General Plan, in addition to other projects in the watershed, could result in increased numbers of residents and structures exposed to a localized 100-year flood event.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.7-7: Implementation of the 2030 General Plan, in addition to other projects in the watershed, could result in increased numbers of residents and structures exposed to a regional 100-year flood event.	None after compliance with the 2030 General Plan	Less than significant
Impact 6.8-8: Implementation of the 2030 General Plan could result in cumulative construction noise and vibration levels that exceed the standards in the City of Sacramento Noise Ordinance as well as vibration-peak-particle velocities greater than 0.5 inch per second.	None after compliance with applicable Sacramento City Code requirements and the 2030 General Plan	Less than significant
Impact 6.8-10: Implementation of the 2030 General Plan could result in cumulative impacts on adjacent residential and commercial areas exposed to vibration peak particle velocities greater than 0.5 inch per second due to highway traffic and rail operations.	None after compliance with applicable Sacramento City Code requirements and the 2030 General Plan	Less than significant
Impact 6.10-5: Implementation of the 2030 General Plan combined with other development within the seven school districts that extend outside the Policy Area would generate additional elementary, middle, and high school students.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.10-6: Implementation of the 2030 General Plan combined with other development outside of the Policy Area would generate additional higher education students.	None after compliance with the Sacramento 2030 General Plan	Less than significant
Impact 6.10-8: Implementation of the 2030 General Plan combined with other development within the Sacramento Public Library Authority service area	None after compliance with applicable regulations and the 2030 General Plan	Less than significant

**Table 3.18-1
Relevant Cumulative Impacts Addressed in the 2030 General Plan Master EIR (Continued)**

Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
could result in the construction of new, or the expansion of existing facilities related to the provision of library services.		
Impact 6.10-10: Implementation of the 2030 General Plan combined with other development served by emergency services in the region could result in the construction of new, or the expansion of existing emergency response facilities related to the provision of emergency services.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.11-1: Implementation of the proposed 2030 General Plan would increase demand for potable water.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.11-6: Implementation of the proposed 2030 General Plan, in combination with future development in the lower Sacramento River watershed, would increase the demand for storm drainage infrastructure.	None after compliance with the 2030 General Plan	Less than significant
Impact 6.11-8: Implementation of the proposed 2030 General Plan, along with other future development in the SRCSWA service area could result in the need for construction of new solid waste facilities or expansion of existing facilities.	None after compliance with applicable regulations and the 2030 General Plan	Less than significant
Impact 6.11-10: Implementation of the proposed City of Sacramento 2030 General Plan combined with other development within the areas serviced by SMUD and PG&E would result in permanent and continued use of electricity and natural gas resources.	None after compliance with the 2030 General Plan	Less than significant
Impact 6.11-12: Implementation of the proposed City of Sacramento 2030 General Plan would result in permanent and continued need for telecommunication services.	None after compliance with the 2030 General Plan	Less than significant
Impact 6.12-11: Implementation of the proposed 2030 General Plan under cumulative conditions could adversely affect transit facilities.	None after compliance with the Sacramento 2030 General Plan	Less than significant
Impact 6.13-3: Implementation of the proposed 2030 General Plan, in combination with other projects in the county and West Sacramento, could cast glare in such a way as to cause public hazard or annoyance for a sustained period of time.	Mitigation Measure 6.13-3 (see Section 3.16, "Transportation/ Traffic," in this initial study)	Less than significant as mitigated
Impact 6.13-4: Implementation of the proposed 2030 General Plan, in combination with other projects in the county and West Sacramento, could cast light onto oncoming traffic or residential uses.	None after compliance with the 2030 General Plan	Less than significant
<p>Notes: 2030 General Plan = <i>Sacramento 2030 General Plan</i>; ALUCP = airport land use compatibility plan; CO = carbon monoxide; PG&E = Pacific Gas and Electric Company; ppm = parts per million; SMUD = Sacramento Municipal Utility District; SRCSWA = Sacramento Regional County Solid Waste Authority; SVAB = Sacramento Valley Air Basin; TAC = toxic air contaminant Source: Data compiled by AECOM in 2014</p>		

**Table 3.18-2
Relevant Cumulative Impacts Addressed in the MTP/SCS Program EIR¹**

Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
Impact CUM-3: The contribution of the proposed MTP/SCS to cumulative air quality impacts in the region would be cumulatively considerable.	Mitigation Measures AIR-1 through AIR-5 (see Chapter 5, "Air Quality," in the MTP/SCS Program EIR)	Significant and unavoidable. However, as demonstrated in Chapter 5, "Air Quality," in the MTP/SCS Program EIR, the air quality impacts listed below were found to be less than significant on the regional level
Impact AIR-1: Conflict with or obstruct implementation of the applicable air quality plans.	None after compliance with the MTP/SCS	Less than significant regionally for land use projects
Impact AIR-5a: Be inconsistent or exceed applicable thresholds of significance established by the local air district for short-term operational criteria air pollutant emissions.	Mitigation Measure AIR-4 (see Section 3.3, "Air Quality," in this initial study)	Less than significant regionally for land use projects as mitigated
Impact AIR-5b: Expose sensitive receptors to substantial TAC concentrations from construction.	Mitigation Measure AIR-4 (see Section 3.3, "Air Quality," in this initial study)	Less than significant regionally for land use projects as mitigated
Impact AIR-5c: Create objectionable odors from construction affecting a substantial number of people.	None after compliance with the MTP/SCS	Less than significant regionally for land use projects
Impact CUM-4: The contribution of the proposed MTP/SCS to cumulative impacts to biological resources may be cumulatively considerable.	Mitigation Measures BIO-1 through BIO-9 (see Chapter 6, "Biological Resources," in the MTP/SCS Program EIR)	Significant and unavoidable. However, as demonstrated in Chapter 6, "Biological Resources," in the MTP/SCS Program EIR, the biological resource impact listed below was found to be less than significant on the regional level
Impact BIO-6: Conflict with the Provisions of an Adopted HCP, NCCP, or Other Approved Local, Regional, or State Habitat Conservation Plan.	None after compliance with the MTP/SCS	Less than significant regionally for land use projects
Impact CUM-5: The contribution of the proposed MTP/SCS to cumulative impacts to cultural resources may be cumulatively considerable.	Mitigation Measures CR-1 through CR-5 (see Chapter 7, "Cultural and Paleontological Resources," in the MTP/SCS Program EIR; see also Section 3.5, "Cultural Resources," in this initial study)	Less than significant regionally as mitigated
Impact CUM-6: The contribution of the proposed MTP/SCS to cumulative energy consumption.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-7: The contribution of the proposed MTP/SCS to cumulative GHG emissions and global climate change.	None after compliance with the MTP/SCS.	Less than significant regionally
Impact CUM-8: The contribution of the proposed MTP/SCS to cumulative impacts to geology, soils, seismicity, or mineral resource.	None after compliance with the MTP/SCS	Less than significant regionally

**Table 3.18-2
Relevant Cumulative Impacts Addressed in the MTP/SCS Program EIR¹ (Continued)**

Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
Impact CUM-9: The contribution of the proposed MTP/SCS to cumulative impacts to hazards and hazardous materials.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-11: The contribution of the proposed MTP/SCS to cumulative land use and planning impact.	None after compliance with the MTP/SCS.	Less than significant regionally
Impact CUM-13: Implementation of the proposed MTP/SCS in conjunction with other planned development outside of the region would result in increases in population and housing.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-14: The contribution of the proposed MTP/SCS to cumulative public service impacts in the form of state routes, freeways, and other roads under the jurisdiction of the CHP; rural wildland fire areas protected by CAL FIRE; and regional, state, and federal parks, open space, and recreational areas.	Mitigation Measure PS-1 (see Chapter 15, "Public Services and Recreation," in the MTP/SCS Program EIR; see also Section 3.14, "Public Services," in this initial study)	Less than significant regionally as mitigated
Impact CUM-15: The contribution of the proposed MTP/SCS to cumulative transportation and traffic impacts.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-16: The contribution of the proposed MTP/SCS to cumulative water supply and infrastructure impacts.	Mitigation Measures USS-1 through USS-3 (see Chapter 17, "Utilities and Service Systems," in the MTP/SCS Program EIR; see also Section 3.17, "Utilities and Service Systems," in this initial study)	Less than significant regionally as mitigated
Impact CUM-17: The contribution of the proposed MTP/SCS to cumulative impacts to stormwater and associated infrastructure.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-18: The contribution of the proposed MTP/SCS to cumulative impacts to wastewater and associated infrastructure.	None after compliance with the MTP/SCS	Less than significant regionally
Impact CUM-20: The contribution of the proposed MTP/SCS to cumulative impacts related to natural gas, propane, electricity, or telecommunications services	None after compliance with the MTP/SCS	Less than significant regionally

**Table 3.18-2
Relevant Cumulative Impacts Addressed in the MTP/SCS Program EIR¹ (Continued)**

Cumulative Impact	Recommended Mitigation	Cumulative Impact Conclusion
<p>Notes: CAL FIRE = California Department of Forestry and Fire Protection; CHP = California Highway Patrol; EIR = environmental impact report; GHG = greenhouse gas; HCP = habitat conservation plan; MTP/SCS = Metropolitan Transportation Plan/Sustainable Communities Strategy; NCCP = natural communities conservation plan; TAC = toxic air contaminant</p> <p>¹ The MTP/SCS Program EIR states that the “MTP/SCS is a cumulative plan by definition. It is a transportation and land use plan for an entire region of the state that shares, or is connected by, common economic, social, and environmental characteristics. The SACOG region is comprised of 3,863,373 acres which equates to 6,037 square miles and includes 6 counties and 22 cities, for a total of 28 jurisdictions. Together with the other three largest regional governments in the state (Southern California, San Diego, and San Francisco Bay Area) it is home to 90 percent of the state’s population. As such, the environmental analysis of the proposed MTP/SCS is a cumulative analysis compliant with the requirements of CEQA and the CEQA Guidelines.” (MTP/SCS Program EIR, p. 19-11.) Therefore, this table identifies relevant impacts for which the MTP/SCS Program EIR concludes the regional impact is less than significant as well as other less than significant cumulative impacts identified in Chapter 19 of the MTP/SCS Program EIR.</p> <p>Source: Data compiled by AECOM in 2014</p>		

The 2030 General Plan Master EIR “presents a conservative scenario based upon the potential development within the city and adjacent areas from 2008 through 2030.” (SACOG 2011:1-2.) Similarly, as stated in the MTP/SCS Program EIR, the “planning period of the proposed MTP/SCS spans a 27-year time period, from the year 2008 to 2035.” (SACOG 2011:1-5.) Therefore, as of 2014, the City is in the early stages of the planning period covered by both the 2030 General Plan and the MTP/SCS. Additionally, in light of the recent “Great Recession,” the rate of development in the Sacramento area to date has lagged behind that contemplated in the 2030 General Plan and MTP/SCS. Therefore, even after development of the Sacramento Entertainment and Sports Center project, which the City approved on May 20, 2014, the City finds that the cumulative impacts analyses included in the 2030 General Plan Master EIR and MTP/SCS Program EIR are adequate and, where applicable, require appropriate mitigation to ensure that the above-identified cumulative impacts would be less than significant on a regional basis. Therefore, pursuant to Public Resources Code Section 21155.2(c)(1), the proposed project’s contribution to the cumulative impacts identified above shall not be treated as cumulatively considerable for the purposes of CEQA.

With the exception of the above impacts and the impacts for which this initial study concludes the proposed project would have “no impact,” the proposed project’s contribution to all other potential cumulative impacts are considered **potentially cumulatively considerable** for the proposed project and will be analyzed further in the EIR. It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to these cumulative issues can be reduced to a less-than-cumulatively-considerable level for the proposed project.

e) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

As discussed in this initial study, the City has determined that the proposed project would have potentially significant impacts that may either directly or indirectly cause substantial adverse effects on human beings. These potential impacts include but are not limited to the potentially significant impacts identified in Section 3.3, "Air Quality"; Section 3.12, "Noise"; and Section 3.16, "Transportation/Traffic." It is possible that, based on an analysis prepared and evidence presented in the EIR, the City may find that impacts related to these issues can be reduced to a less-than-significant level for the proposed project.

CITY OF SACRAMENTO ENVIRONMENTAL CHECKLIST QUESTIONS

No City of Sacramento Environmental Checklist questions are applicable to impacts related to mandatory findings of significance.

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Section 3.18, “Mandatory Findings of significance”

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5 REPORT PREPARATION

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Scot Mende Project Manager/Lead Agency Contact
Scott Johnson Associate Planner/Environmental Contact
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Aelita Milatzo Assistant Engineer, Department of Public Works Transportation Division
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APPENDIX A

List of SCEA NOP Comment Letters

APPENDIX A

LIST OF SCEA NOP COMMENT LETTERS

Agencies:

- California Department of General Services, Real Estate Division, 4-24-14
- Governor's Office of Planning & Research, State Clearinghouse, 4-10-14
- Sacramento Area Council of Governments (SACOG), 4-24-14
- Sacramento Regional Transit District (Sac RT), 5-7-14)
- Sacramento Metropolitan Air Quality Management District (SMAQMD), 5-6-14
- Regional San (Sacramento Regional County Sanitation District), 4-10-14;
- California Department of Transportation (Caltrans), 5-12-14
- Central Valley Regional Water Quality Control Board (Central Valley RWQCB), 5-9-14

Organizations:

- Bridgeway Towers Owners' Association, 4-29-14
- Bridgeway Towers Owners' Association, 5-9-14
- California Preservation Foundation, 5-12-14
- Environmental Council of Sacramento (ECOS), 5-12-14
- Neighbors of Capitol Towers and Villas, 5-1-14
- Sacramento Area Bicycle Advocates (SABA), 5-6-14
- Sacramento Modern (SacMod), 5-6-14
- Sacramento Old City Association (SOCA), 5-10-14
- Unite Here Local 49, 5-12-14
- National Trust for Historic Preservation, 5-12-14
- Sacramento Housing Alliance (SHA), 5-12-14

Individuals/Businesses:

- Alice Bruce, 4-15-14
- Adrienne Kandel, 5-10-14
- Carr Kunze, 4-15-14
- Carr Kunze, 5-12-14
- Healon Knight, 4-16-14
- Julie Mumma, 5-11-14
- Jim Pachl, 4-25-14
- Jim Pachl, 5-8-14
- Jim Pachl, 5-12-14
- Patrick J. Wilson, 4-10-14
- Tommy Leung, 4-20-14
- Rutan & Tucker, LLP

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APPENDIX B

SACOG Concurrence Letter Regarding Consistency
of the Sacramento Commons Project with the MTP/SCS



June 4, 2014

Scott Johnson
Associate Planner
Department of Community Development
City of Sacramento
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

Dear Mr. Johnson:

You requested SACOG's confirmation that the proposed Sacramento Commons project is consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy for 2035 (MTP/SCS). It is important to note that it is the responsibility of the lead agency to make the final determination on a project's consistency with the MTP/SCS and that SACOG will provide a consistency determination only at the request of the lead agency. This letter concurs with the City's determination that the Sacramento Commons project is consistent with the MTP/SCS.

The Sacramento Commons project as defined in the City's SCS consistency analysis and the project documents consists of the following land uses on 10.13 net acres:

Hotel Scenario – Project with Hotel includes 1,422 housing units (approximately 1,316,430 residential square feet) of varying density and product type, 965,522 square feet of commercial uses (hotel, neighborhood serving retail and structure parking), and open space areas. The average residential density is 140 dwelling units per acre. Over 50 percent of the total building square footage of the project consists of residential use (1,316,430 residential square feet ÷ 2,281,952 total building square feet) and the project FAR is over 0.75 (2,281,952 total building square footage ÷ 441,263 total square footage of project parcels).

No Hotel Scenario – Project with No Hotel includes 1,522 housing units (approximately 1,460,430 residential square feet) of vary density and product type, 778,597 square feet of commercial uses (neighborhood serving retail and structured parking), and open space areas. The average residential density is 150 dwelling units per acre. Over 50 percent of the total building square footage of the project consists of residential use (1,460,430 residential square feet ÷ 2,239,027 total building square feet) and the project FAR is over 0.75 (2,239,027 total building square footage ÷ 441,263 total square footage of project parcels).

The project is also located within the Sacramento Transit Priority Area. Transit Priority Areas are areas of the region within one-half mile of a major transit stop (existing or planned light rail, street car, train station, or the intersection of two or more major bus

Auburn
Citrus Heights
Colfax
Davis
El Dorado County
Elk Grove
Folsom
Galt
Isleton
Lincoln
Live Oak
Loomis
Marysville
Placer County
Placerville
Rancho Cordova
Rocklin
Roseville
Sacramento
Sacramento County
Sutter County
West Sacramento
Wheatland
Winters
Woodland
Yolo County
Yuba City
Yuba County

routes) or an existing or planned high-quality transit corridor included in the MTP/SCS. The project site is entirely within ½ mile of the existing 8th & O Light Rail Station, within the 7th/8th Streets high-quality transit corridor with very rich fixed-route planned bus service provided by Sacramento Regional Transit. The attached map shows the project's location within the Sacramento Transit Priority Area.

Given the mix of land uses in each project option, and the project site's location within the Sacramento Transit Priority Area, the Sacramento Commons project is considered a Transit Priority project, as defined by SB 375 (PRC § 21155(b)).

SACOG has reviewed project information included in the City's SCS consistency analysis (Attachment). The Sacramento Commons project is located in the Central City Center/Corridor Community designation of the MTP/SCS for the City of Sacramento. Within the Central City Center/Corridor Community, the MTP/SCS forecasts a range of very low to high density residential, commercial, office and industrial uses (see Appendix E-3, pp. 34-35 for definitions of these uses). The project's land uses fall within this range of general uses.

The project's general use designation, density and building intensity also is consistent with the MTP/SCS. Specifically, the project is consistent with Appendix E-3, which describes the project area as follows:

“Unlike anywhere else in the region, this area has capacity for and plans to build new office, residential and mixed-use building that are likely to exceed three and four stories. In the downtown area, it is possible that new mixed-use and high density housing project could range from four to 24 stories. Most new office building are also likely to build in that same range, however, there is no height limit on new office buildings in the downtown area. Collectively this Center and Corridor Community has the potential capacity to add more than 54,000 new jobs and 27,000 new homes. This would more than double the amount of existing housing units in the central city.” (SACOG MTP/SCS for 2035, Appendix E-3 Land Use Forecast Background Documentation, p. 53.)

Development at the proposed densities is consistent with the build out assumptions for the area within this community type of the MTP/SCS. For these reasons, consistency is not based on 80 percent of general plan designation alone.

With respect to consistency with the MTP/SCS policies, the applicable policies are embedded in the metrics and growth forecast assumptions of the MTP/SCS. For the purposes of determining SCS consistency, projects consistent with the growth forecast assumptions of the MTP/SCS are consistent with these policies. As part of its land use forecasting process, SACOG analyzes market demand for and market feasibility of different types of housing products. The MTP/SCS housing forecast for the Central City Center/Corridor Community was based not only on City policies to encourage housing growth in this area, but also on the following: an assessment of past building activity,

current project entitlement activity, and consideration of changing demographic and housing market demand. The MTP/SCS land use forecast did not assume development at 80 percent of the City's general plan densities in the Central City area because SACOG's analysis of market demand and feasibility suggests that the highest densities allowed under the general plan are not likely to occur during the planning period of the MTP/SCS (2012-2035). The proposed Sacramento Commons project is consistent with these growth forecast assumptions.

Our confirmation of the project's consistency with the MTP/SCS is not intended to express any opinion on the site design or the appropriate conditions of approval of the project.

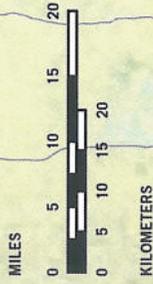
Thank you for inviting SACOG's input as to the consistency of the Sacramento Commons project with the MTP/SCS for 2035. If you have further questions or need further assistance, please don't hesitate to contact me.

Sincerely,



Mike McKeever
Chief Executive Officer

MM:lo
Attachments



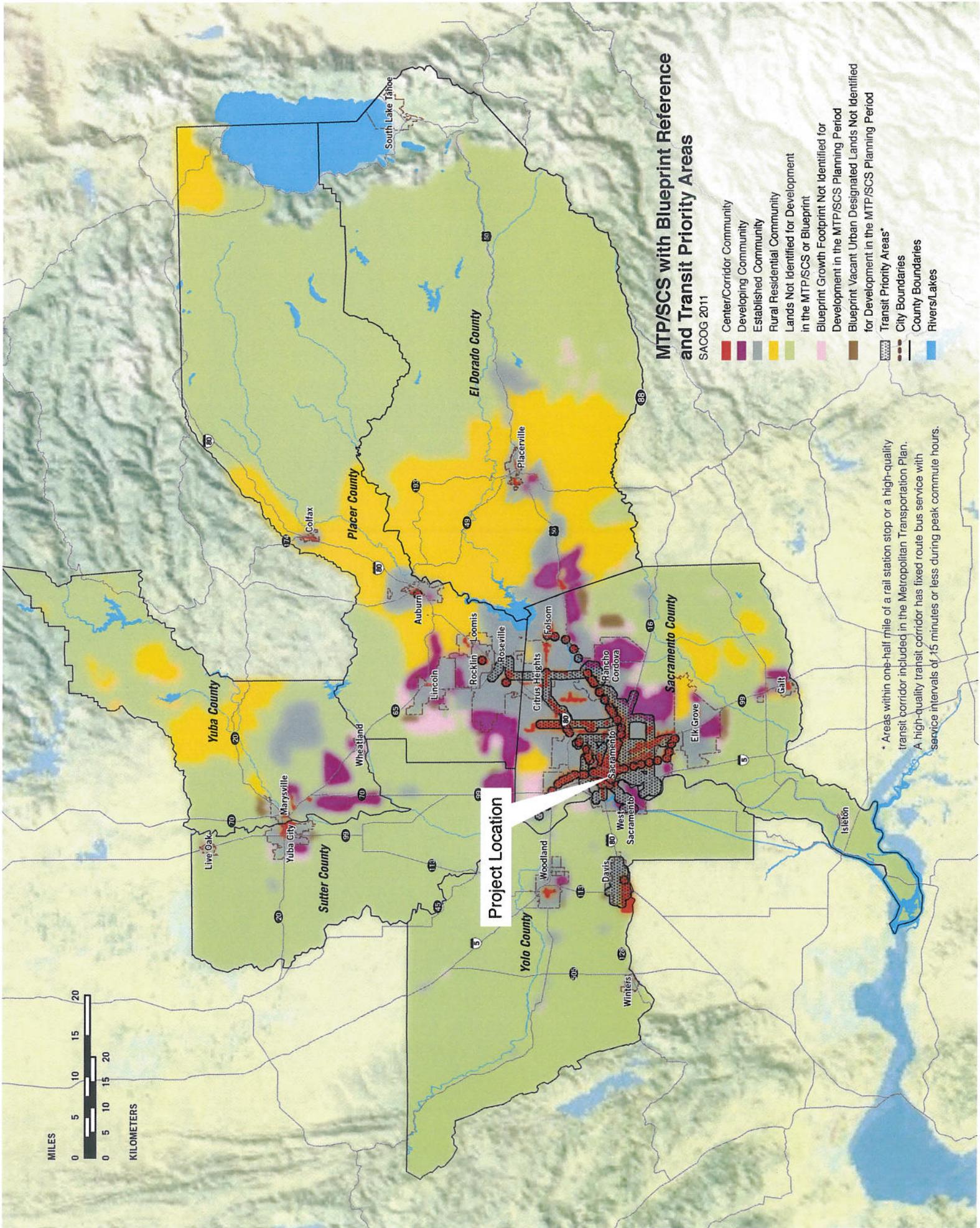
Project Location

MTP/SCS with Blueprint Reference and Transit Priority Areas

SACOG 2011

- Center/Corridor Community
- Developing Community
- Established Community
- Rural Residential Community
- Lands Not Identified for Development in the MTP/SCS or Blueprint
- Blueprint Growth Footprint Not Identified for Development in the MTP/SCS Planning Period
- Blueprint Vacant Urban Designated Lands Not Identified for Development in the MTP/SCS Planning Period
- Transit Priority Areas*
- City Boundaries
- County Boundaries
- Rivers/Lakes

* Areas within one-half mile of a rail station stop or a high-quality transit corridor included in the Metropolitan Transportation Plan. A high-quality transit corridor has fixed route bus service with service intervals of 15 minutes or less during peak commute hours.



DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET
For Qualifying Transit Priority Projects and Residential/Mixed-Use
Residential Projects
As of July 31, 2012ⁱ

Background: Pursuant to SB 375, streamlined CEQA review and analysis is available to Transit Priority Projects (TPPs) and residential or mixed-use residential projects that are consistent with the SCS. The SCS was adopted by the Sacramento Area Council of Governments (SACOG) Board as part of the Metropolitan Transportation Plan/Sustainable Communities Strategy for 2035 on April 19, 2012. The California Air Resources Board issued an Acceptance of GHG Quantification Determination for the SACOG SCS on June 12, 2012.

Streamlined CEQA review available to TPPs consists of one of the following: 1) a Sustainable Communities Environmental Assessment (SCEA) pursuant to Public Resources Code (PRC) § 21155.2(b) or 2) an EIR pursuant to PRC § 21155.2(c).ⁱⁱ

Streamlined CEQA review available to residential or mixed-use residential projects consists of an EIR pursuant to PRC § 21159.28(a).

Purpose: The purpose of this worksheet is to provide lead agencies with assistance on three issues:

1. Whether a proposed project qualifies as a TPP;
2. Whether a proposed project qualifies as a residential or mixed-use residential project (at least 75 percent of the total building square footage is residential);
3. Whether the TPP or residential/mixed-use residential project is consistent with the general land use designation, density, intensity and applicable policies of the MTP/SCS for 2035 adopted by the Sacramento Area Council of Governments (SACOG).

The lead agency has responsibility to make the final determination on these matters and to determine the applicable and appropriate CEQA streamlining, if any.

Directions: This worksheet should be completed by the lead agency, relying on the project description of the proposed project, MTP/SCS Chapters 3 and 4, and MTP/SCS Appendix E-3. Regardless of whether this worksheet is used, pursuant to PRC § 21155(a) and PRC § 21159.28(a), a project can only be consistent with the MTP/SCS if it is consistent with the general land use designation, density, building intensity, and applicable policies specified for the project area in the adopted SCS. This worksheet only applies to the MTP/SCS for 2035 (adopted April 19, 2012); subsequent MTP/SCS adoptions may require updates to this form.

Lead agencies are welcome to contact SACOG for assistance in completing this worksheet. For assistance, contact Kacey Lizon at klizon@sacog.org or 916-340-6265.

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

Project Title: Sacramento Commons

Proposed project is located in (city/county name): City of Sacramento

1. Transit Priority Project Designation (PRC § 21155(b))

A project must meet the requirements of items 1.A, 1.B, 1.C, and 1.D, below, to qualify as a Transit Priority Project. For items 1.C and 1.D, the definition of an MTP/SCS Transit Priority Area is: the area within one-half mile of a rail station stop or a high-quality transit corridor included in the MTP/SCS. A high-quality transit corridor has fixed route bus service with service intervals of 15 minutes or less during peak commute hours. See MTP/SCS Chapter 3 for the map of Transit Priority Areas.

1.A. The Project has a minimum net densityⁱⁱⁱ of 20 dwelling units per acre.

Calculation:

Option 1 – Project with Hotel

Total housing units proposed in Project 1,422 ÷ Total Project parcel area (in netⁱⁱ acres)
10.13 = 140 (Should be ≥20 du/ac)

Option 2 – Project with No Hotel

Total housing units proposed in Project 1,522 ÷ Total Project parcel area (in netⁱⁱ acres)
10.13 = 150 (Should be ≥20 du/ac)

1.B. At least 50 percent of the Project's total building square footage is in residential use, **AND**,

The total building square footage of the Project has 25 percent or less non-residential use, or, if it has between 26 and 50 percent in non-residential use, has a minimum FAR of 0.75.

Calculations:

PARKING FACILITIES INCLUDED IN TOTAL PROJECT BUILDING SQUARE FOOTAGE

Option 1 – Project with Hotel (Including 756,400 sf of Parking)

Total Project residential square footage 1,316,430 ÷ Total Project building square
footage 2,281,952 = 58% (Should be ≥ 50%)

Total Project building square footage 2,281,952 ÷ Total Project parcel(s) area square
footage 441,263 = 5.2 (Should be ≥ 0.75)

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

Option 2 – Project with No Hotel (Including 713,475 sf of Parking)

Total Project residential square footage 1,460,430 ÷ Total Project building square footage 2,239,027 = 65% (Should be ≥ 50%)

Total Project building square footage 2,239,027 ÷ Total Project parcel(s) area square footage 441,263 = 5.1 (Should be ≥ 0.75)

PARKING FACILITIES EXCLUDED FROM TOTAL PROJECT BUILDING SQUARE FOOTAGE

Option 1 – Project with Hotel

Total Project residential square footage 1,316,430 ÷ Total Project building square footage 1,525,552 = 86% (Should be ≥ 50%)

Total Project building square footage 1,525,552 ÷ Total Project parcel(s) area square footage 441,263 = 3.5 (Should be ≥ 0.75)

Option 2 – Project with No Hotel

Total Project residential square footage 1,460,430 ÷ Total Project building square footage 1,525,552 = 96% (Should be ≥ 50%)

Total Project building square footage 1,525,552 ÷ Total Project parcel(s) area square footage 441,263 = 3.5 (Should be ≥ 0.75)

- 1.C. [X] The Project is located within an MTP/SCS Transit Priority Area and the qualifying transit service is (*transit route name/applicable street name/number or light rail stop name as identified in the adopted MTP/SCS*):

Options 1 and 2

The project is located in the Sacramento Transit Priority Area within ½ mile of the 8th & O Light Rail Station, a split light rail station on the Sacramento Regional Transit District's Blue and Gold Lines. The station is located at the intersection of 8th and O Streets, with the split platforms located on each side of 8th Street where the line splits into one-way couplets. The project is located within a high-quality transit corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours. Sacramento Regional Transit bus routes within ½ mile of the project include regular routes 2, 6, 15, 34, 38, and 51 and peak-only routes 3, 7, 29, and 109.

- 1.D. [X] No more than 25 percent of the area of the Project parcels are farther than one-half mile from the TPA transit stop/corridor and no more than 10 percent of the residential units or 100

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

units, whichever is less, in the project are farther than one-half mile from the TPA transit stop/corridor.

Calculations:

Option 1 – Project with Hotel

Project area outside of ½ mile TPA 0% ÷ Total Project area 10.13 acres
= 0% (Should be ≤ 25%)

Project residential units outside of ½ mile TPA 0% ÷ Total Project units 1,373 = 0%
(Should be ≤ 10% or less than 100 units)

Option 2 – Project with no Hotel

Project area outside of ½ mile TPA 0% ÷ Total Project area 10.13 acres
= 0% (Should be ≤ 25%)

Project residential units outside of ½ mile TPA 0% ÷ Total Project units 1,473 = 0%
(Should be ≤ 10% or less than 100 units)

SECTION 1 CONCLUSION:

- The proposed project meets the requirements of 1.A, 1.B, 1.C, and 1.D and therefore qualifies as a Transit Priority Project.
- The proposed project does not meet all the requirements of 1.A, 1.B, 1.C, and 1.D and therefore does not qualify as a Transit Priority Project.

2. Residential or Mixed-Use Residential Project Designation for Projects Located Outside of an MTP/SCS TPA 21159.28(a)

A residential or mixed-use residential project using the streamlined CEQA review to complete an EIR pursuant to PRC § 21159.28(a) must meet the following requirement:

- 2.A. At least 75 percent of the total building square footage of the project consists of residential use.

Calculation:

Total Project residential square footage _____ ÷ Total Project building square footage _____
= _____ (Should be ≥ 75%)

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

SECTION 2 CONCLUSION:

- The proposed project meets the requirements of 2.A and therefore qualifies as a residential or mixed-use residential project.
- The proposed project does not meet the requirements of 2.A and therefore does not qualify as a residential or mixed-use residential project.

IF A PROJECT DOES NOT QUALIFY AS EITHER A TRANSIT PRIORITY PROJECT (UNDER SECTION 1) OR A RESIDENTIAL OR MIXED-USE RESIDENTIAL PROJECT (UNDER SECTION 2), THE PROJECT DOES NOT QUALIFY FOR SB 375 CEQA STREAMLINING. DO NOT PROCEED TO SECTION 3.

3. Required Consistency with the SCS: General Use Designation, Density and Intensity, and Applicable MTP/SCS Policies (PRC § 21155(a) and PRC § 21159.28(a))

3.A. Applicable MTP/SCS Policies. For the purposes of determining SCS consistency, the policies of the MTP/SCS are embedded in the metrics and growth forecast assumptions of the MTP/SCS. Projects consistent with the growth forecast assumptions of the MTP/SCS, as determined by application of items 3.B. and 3.C, are consistent with the MTP/SCS and its policies.

3.B. Applicable Community Type. The MTP/SCS land use forecast is illustrated using Community Types. In order to determine the general use designation, density and intensity of the Project area within the MTP/SCS, the Project must be located within a Community Type designated in the MTP/SCS. The MTP/SCS defines density/building intensity in terms of the amount of growth (residential and non-residential) forecasted and the amount of build out potential within each Community Type area. SACOG monitors development activity on an annual basis to check that the amount of development is consistent with the growth forecast of the MTP/SCS.

For the purposes of the lead agency's determination of SCS consistency, use MTP/SCS Appendix E-3 to identify the Community Type for the Project and fill in the applicable information, below for 3.B.1 and 3.B.2.

3.B.1. The Project is located in the following Community Type:

- Center and Corridor Community
- Established Community
- Developing Community (*list the specific name of the Developing Community as identified in the jurisdiction narrative in Appendix E-3*): _____

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

Rural Residential Community

3.B.2 Development from the project when added to other entitled projects will not exceed the MTP/SCS build out assumptions for the area within this Community Type, which is 11,617 new housing units and 14,306 new employees.^{iv}

3.C. General Use Designation, Density and Building Intensity. The foundation of the land use designations for the MTP/SCS is adopted and proposed local general plans, community plans, specific plans and other local policies and regulations. A project is consistent with the MTP/SCS if its uses are identified in the applicable MTP/SCS Community Type and its uses meet the general density and building intensity assumptions for the Community Type. The proposed project does not have to include all allowed uses in the MTP/SCS.

3.C.1. Determine consistency of the Project using one of the methods below:

Option A:

The Project is located in a **Center and Corridor Community or an Established Community** and the Project uses are consistent with the allowed uses of the applicable adopted local land use plan as it existed in 2012 and are at least 80 percent of the allowed density or intensity of the allowed uses. Therefore, the Project is consistent with the MTP/SCS.^v

OR

Option B:

The Project is located in a **Center and Corridor Community or an Established Community** and the Project uses have been reviewed in the context of, and are found to be consistent with, the general land use, density, and intensity information provided for this Community Type in Appendix E-3 of the MTP/SCS. Therefore, the Project is consistent with the MTP/SCS.

OR

Option C:

The Project is located in a **Rural Residential Community** and the Project residential density does not exceed the maximum density of one unit per acre as specified in the MTP/SCS, and employment development in the Project is at least 80 percent of the allowed intensity of the land use designations of the adopted general plan. Therefore, the Project is consistent with the MTP/SCS.

OR

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

Option D:

[] The Project is located in a **Developing Community** and the Project's average net density meets or exceed the average net density described for this specific Developing Community (as referenced by name of applicable specific plan, master plan, or special plan in MTP/SCS Appendix E-3) and employment development in the Project is consistent with the general employment land uses described for this specific Developing Community.^{vi} Therefore, the Project is consistent with the MTP/SCS.

SECTION 3 CONCLUSION:

The proposed project is consistent with the General Use Designation, Density and Intensity, and Applicable MTP/SCS Policies for the following reasons (*summarize findings on use designation, density and intensity for the Project evaluation completed in Section 3*):

The project is located in a Center and Corridor Community in the City of Sacramento. Development of the project when added to other entitled projects will not exceed the MTP/SCS build out assumptions for construction of housing units (14,306 units) and creation of new jobs (11,617 jobs) by 2020 in the Center and Corridor Community type in the City of Sacramento. The project site is designated as Central Business District (CBD) in the City of Sacramento 2030 General Plan and is zoned R-5, which allows up to a maximum of 175 dwelling units per acre. Depending on whether the proposed hotel is developed, the project proposes between 140 (with hotel) and 150 (no hotel) dwelling units per acre over the 10.13 net-acre project site. Therefore, the project proposes a density that is between 80 and 86 percent of the maximum density authorized the City's Zoning Code. As a result, consistent with the requirements of the MTP/SCS, the project proposes at least 80 percent of the allowed density for residential development on the site.

Additionally, the projects uses, which include residential uses (including live/work units), retail and/or support uses, and a potential hotel are allowed uses set forth in the City's 2030 General Plan as implemented through the City's Zoning Code both today and as those plans existed in 2012. Thus, as required under Option A above, the project is consistent with the applicable adopted local land use plans as they existed in 2012.

For these reasons, the project is consistent with the MTP/SCS.

ⁱ This document may be updated as users provide feedback on its utility.

ⁱⁱ If a TPP complies with an additional series of requirements set forth in PRC § 21155.1, it qualifies as a Sustainable Communities Project and becomes eligible for a complete exemption from CEQA. This worksheet does not address Sustainable Communities Projects.

ⁱⁱⁱ *Net density* is not defined in PRC §2115(b). In the MTP/SCS, net density is defined as follows: Housing units divided by the acres on which housing is built, exclusive of public rights-of-ways, parks, schools and public areas (MTP/SCS Appendix E-3, pg. 34).

DETERMINATION OF MTP/SCS CONSISTENCY WORKSHEET

As of July 31, 2012

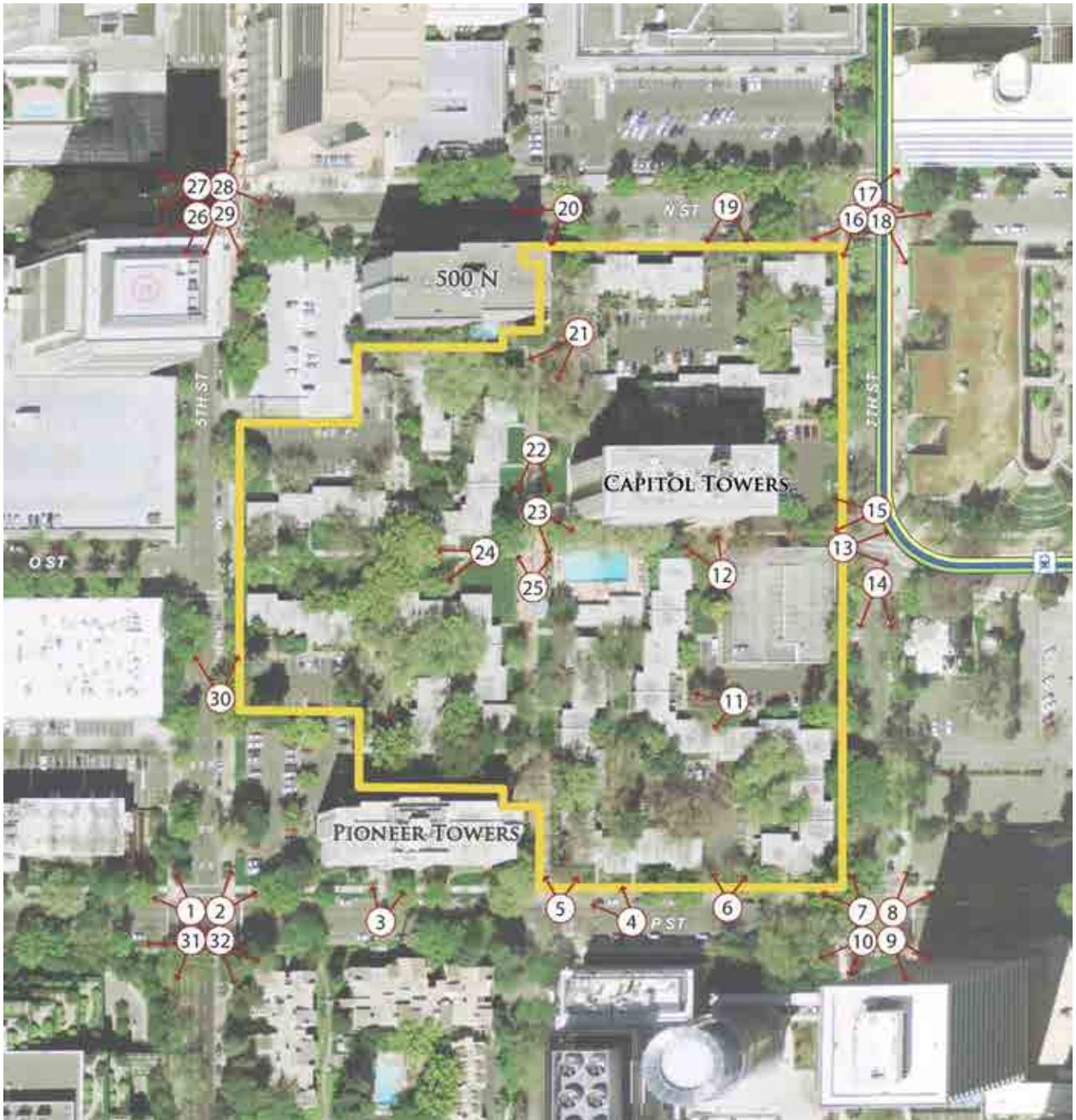
^{iv} The MTP/SCS build out for each Community Type assumes development that is entitled as of January 1, 2008. SACOG monitors housing permits on an annual basis and will ensure that housing and employment projects relying on the SB 375 CEQA benefits will not exceed the capacity assumed in the MTP/SCS.

^v The MTP/SCS general land use, density and intensity in Center and Corridor Communities and Established Communities is based on 80 percent of the allowed density or intensity of the land use designations in adopted general plans as they existed in 2012, unless otherwise noted in Appendix E-3.

^{vi} The MTP/SCS land use forecast in Developing Communities was modeled according to adopted and proposed specific plans, master plans, and special plans as they existed in 2012, and is based on the housing and employment totals and the average net density of these plans, as outlined in Appendix E-3.

APPENDIX C

Site Photos



Site Photo Reference Map



Image 1: Corner of 5th and P Streets, looking northwest to adjacent Pioneer House block



Image 2: Northeast corner of the intersection of 5th and P Streets



Image 3: View of Pioneer Tower building from the south side of P Street



Image 4: View of the Capitol Towers site, looking toward O Street



Image 5: View of the north-south promenade from P Street



Image 6: View of the Capitol Towers site from P Street



Image 7: View of the Capitol Towers site at the intersection of P and 7th Streets



Image 8: View to adjacent uses on the northeast corner of P and 7th Streets



Image 9: View of uses on the southeast corner of P and 7th Streets



Image 10: View of the State of California Central Plant on the southwest corner of P and 7th Streets



Image 11: View of villas on the Capitol Towers site



Image 12: View of the Capitol Towers building entrance



Image 13: View of O Street and light rail tracks



Image 14: View of 7th Street toward P Street, with Capitol Towers on the west



Image 15: View of Capitol Towers from O Street



Image 16: View of Capitol Towers at the corner of N and 7th Streets



Image 17: View of N Street at the corner of 7th Street



Image 18: View of the southeast corner of N and 7th Streets



Image 19: View of Capitol Towers from N Street



Image 20: View of 500 N Street condominiums near the intersection of 5th and N Streets



Image 21: View of the east-west promenade along the extension of 6th Street



Image 22: View of the east-west promenade along the extension of 6th Street



Image 23: View of the swimming pool and Overhoff wall



Image 24: View of the east-west promenade from central courtyard open space



Image 25: Capitol Towers on north-south promenade



Image 26: Southwest corner of N and 5th Streets



Image 27: View west along N Street at its intersection with 5th Street

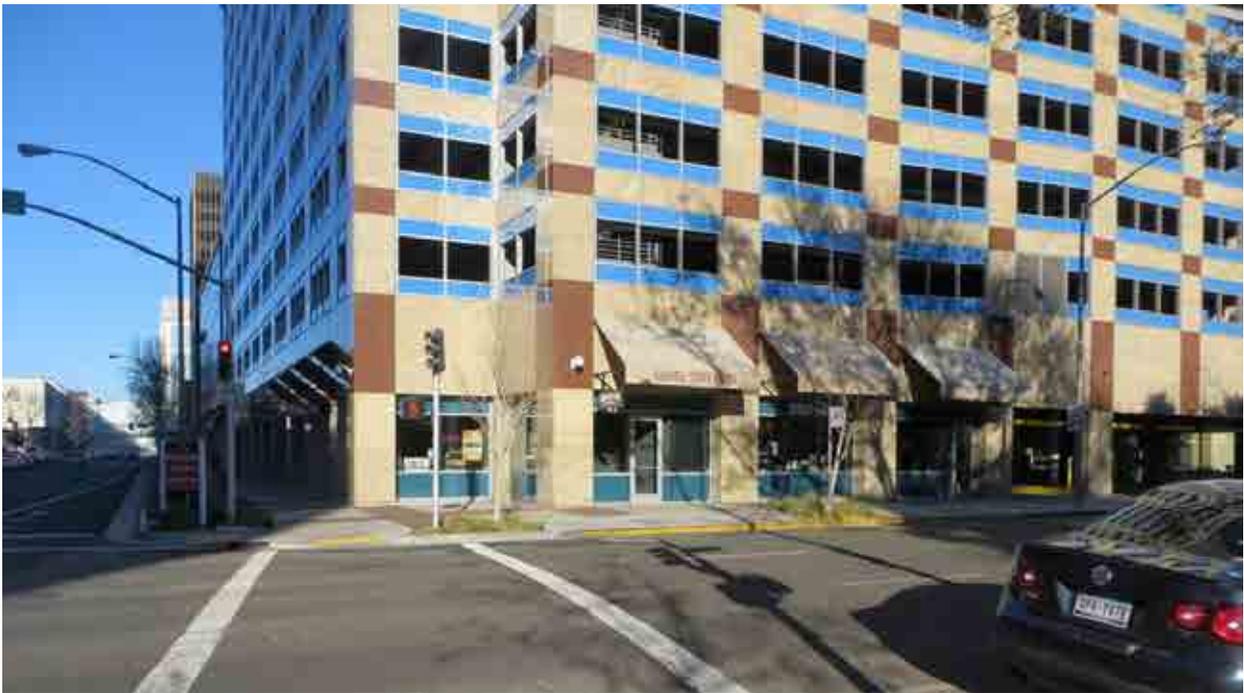


Image 28: View of the northeast corner of N and 5th Streets



Image 29: View south along 5th Street at the intersection of N Street



Image 30: View north along 5th Street, next to the Pioneer Towers site



Image 31: View to Lincoln Plaza at the southwest corner of 5th and P Streets



Image 32: View to the southeast corner of 5th and P Streets

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