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## CITY OF SACRAMENTO PLANNING COMMISSION RECORD OF DECISION

300 Richards Blvd, 3<sup>rd</sup> Floor, Sacramento, CA 95811

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Project Name:	Station 65
Project Number:	P08-068
Project Location:	Southeast corner of 65th Street & Folsom Blvd
Assessor's Parcel No.:	015-0010-003, 020 & 021
Applicant:	Lucas Enterprises c/o: Mark Lucas,
Action Status:	Recommended approval with amended Conditions
Action Date:	12/11/2008

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**REQUESTED  
ENTITLEMENT(S):**

A request to construct a mixed-use, transit oriented project that consists of retail, office, hotel, restaurant, fitness center, structure parking, and residential uses on approximately 4.29 gross acres in the General Commercial Transit Overlay (C-2-TO) zone within the 65th Street Transit Village Plan area. The application includes two proposals: one that consists of 324,280± square feet of commercial/residential space plus a 210,635± square feet parking structure, totaling of 535,315 square feet of building area (Option 1), and one that consists of 344,020± square feet of commercial/residential space plus a 254,135± square feet parking structure, totaling of 598,155 square feet of building area (Option 2). Both alternatives include the same uses. Entitlements include the following:

- A. **Environmental Determination: Environmental Impact Report (EIR);**
- B. **Mitigation Monitoring Plan (MMP);**
- C. **Tentative Map** to merge and re-subdivide three (3) parcels into four (4) parcels totaling approximately 4.29 acres and to designate the parcels for condominium purposes in the General Commercial Transit Overlay (C-2-TO) zone;
- D. **Special Permit** to develop a major project of over 40,000 square feet within the General Commercial Transit Overlay (C-2-TO) zone;
- E. **Special Permit** to waive required parking; (Applies to Option 1 Only)
- F. **Special Permit** to construct Alternative Ownership Housing (Condominiums);
- G. **Variance** to exceed the height limit in the General Commercial Transit Overlay (C-2-TO) zone;

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- H. **Variance** to reduce the setback requirement for a building taller than 28 feet in General Commercial Transit Overlay (C-2-TO) zone.
  - I. **Special Permit** to establish three (3) neighborhood identification signs;
  - J. **Variance** to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway;
  - K. **Variance** to exceed the 20' sign placement height limit within 660' of a freeway;
  - L. **Variance** to allow additional attached signs for major tenants.
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**ACTIONS TAKEN:** On 12/11/2008, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Recommended Approval of Item A to L with amended conditions

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**Action certified by:**

  
David Kwong, Planning Manager

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Sent to Applicant: 12/18/2008

By:   
Staff Signature

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## **NOTICE OF PROTEST RIGHTS**

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

## **EXPIRATION**

**TENTATIVE MAP:** Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

**SPECIAL PERMIT:** A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

**VARIANCE:** Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

**PLAN REVIEW:** Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

**NOTE:** Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

## **APPEALS**

Appeals of the Planning Commission decision of this item to the City Council must be filed at 300 Richards Blvd, 3rd Floor, within 10 calendar days of this meeting, on or before 12/21/08. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

## **Findings Of Fact**

### **A&B. Environmental Impact Report and Mitigation Monitoring Program:**

1. The Planning Commission finds that the Environmental Impact Report for the Station 65 Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The Planning Commission certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
3. The Planning Commission certifies that the EIR has been presented to it, that the Planning Commission has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the Planning Commission's independent judgment and analysis.
4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the Planning Commission adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in Exhibit A of this Record of Decision.
5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the Planning Commission adopts the Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program as set forth in Exhibit B of this Record of Decision.
6. Upon approval of the Project, the City's Environmental Planning Services shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
7. Pursuant to Guidelines section 15091(e), the administrative record of these proceedings is located, and may be obtained from, the City of Sacramento Development Services Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811-0218. The custodian of these documents and other materials is the Development Services Department, Environmental Planning Services.

**CEQA Findings of Fact and Statement of Overriding  
Considerations for the Station 65 Project**

**Description of the Project**

The proposed project consists of the development of a transit oriented mixed-use commercial/residential development with an associated parking structure and off-site improvements. Two development scenarios are considered in the EIR and are referred to the Base Plan Scenario (Scenario A) and the Maximum Density Scenario (Scenario B). The proposed project would include the construction of up to 120 multi-family residential units in a five (100 units) or six-story (120 units) residential complex located on the southeast portion of the project site. Proposed retail development would be at the ground-level of each proposed building. Proposed office use would be on two to four levels above the ground-level retail. An upscale hotel (approximately 148 rooms) would be developed on levels two through five above the ground level retail. A fitness center is proposed, located on the sixth level above the parking structure, which would likely include basketball, squash, and two racquetball courts.

**Findings Required Under CEQA**

**1. Procedural Findings**

The Planning Commission of the City of Sacramento finds as follows:

The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research and was circulated for public comments from July 18, 2008 through August 18, 2008.
- b. A 30-day public comment period for the Draft EIR was established by the City acting as the Lead Agency. The public comment period began on October 9, 2008 and ended on November 7, 2008.
- c. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on October 6, 2008. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Development Services Department, Environmental Planning Services, 300 Richards Blvd, 3<sup>rd</sup> Floor, Sacramento, California 95811. The letter also indicated that the official 30-day public review period for the Draft EIR would end on November 7, 2008.
- d. A public notice was placed in the Daily Recorder on October 9, 2008, which stated that the Draft EIR was available for public review and comment.

- e. A public notice was posted in the office of the Sacramento County Clerk on October 9, 2008.
- f. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

## **2. Record of Proceedings**

The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR and all documents relied upon or incorporated by reference;
- b. The City of Sacramento General Plan, City of Sacramento, January, 1988 and all updates.
- c. Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987 and all updates.
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988 and all updates.
- e. Zoning Ordinance of the City of Sacramento
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004
- g. The Mitigation Monitoring Program for the Project.
- h. The Draft and Final EIR for the 65th Street/University Transit Village Plan Draft EIR dated December 2001, and Final EIR dated May 2002.
- i. 65<sup>th</sup> Street/University Transit Village Plan, October 2002
- j. 65<sup>th</sup> Street/University Transit Village Infrastructure Needs Assessment, January 2004.
- k. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.

## **3. Findings**

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environment impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, § 15091, sub. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, sub. (b); see also Pub. Resources Code, § 21081, sub. (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* ("Laurel Heights I") (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Public Resources Code, Section 21081, sub. (b); see also, CEQA Guidelines, Sections 15093, 15043, sub.(b).) In the Statement of Overriding Considerations found at the end of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II* (1990) 52 Cal.3d 553 at 576.)

In support of its approval of the Project, the Planning Commission makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21080 of CEQA and Section 15091 of the CEQA Guidelines:

**A. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.**

The following significant and potentially significant environmental impacts of the Project,

including cumulative impacts, are being mitigated to a less than significant level and are set out below. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the Planning Commission, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

**Impact Category: Transportation and Circulation**

**Impact 4.3-2-2 Folsom Boulevard/67th Street Intersection. Under both Station 65 development scenarios, the addition of project traffic causes intersection operations to degrade from LOS D and LOS E in the AM and PM peak hours, respectively, to LOS F in the AM and PM peak hours. Without mitigation, this is a significant impact.**

**Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:**

Mitigation Measure 4.3-2-2 - The project applicant shall construct a traffic signal at the Folsom Boulevard/67th Street intersection and ensure that separate right and left-turn lanes are constructed on the northbound approach to the intersection.

A signal warrant analysis was performed under AM and PM peak hour conditions for the baseline with Scenario A project condition. The Scenario A project met the signal warrants, and since the Scenario B project generates slightly more traffic, it will also meet the AM and PM peak hour signal warrants.

Note that Folsom Boulevard currently has two eastbound lanes that extend approximately 25 feet east of the 67th Street intersection. The installation of a traffic signal at 67th Street would create a merging hazard if this short lane is maintained. The design of the traffic signal should ensure that this short merging section is eliminated. The final design of the intersection and signal design will be subject to review and approval by the City of Sacramento Department of Transportation.

The project applicant shall enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits or reimbursement for cost incurred beyond its fair share.

**Finding:** To mitigate the impacts described above, the implementation of Mitigation Measure 4.3-2-2 would reduce overall intersection delay and provide LOS C or better conditions. Further, the DEIR for the 2030 General Plan contains a mitigation measure to exempt this intersection from the LOS threshold, which would lead to a less than significant impact at this intersection.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-2-3 Folsom Boulevard/Elvas Avenue Intersection. Under both Station 65 development scenarios, the addition of project traffic degrades intersection operations from LOS C to an unacceptable LOS D or worse during the PM peak hour. Without mitigation,**



this is a *significant impact*.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-2-1- Implement Mitigation Measure 4.3-1-1 which states: The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.

Mitigation Measure 4.3-2-2 - The project applicant shall construct a traffic signal at the Folsom Boulevard/67th Street intersection and ensure that separate right and left-turn lanes are constructed on the northbound approach to the intersection.

A signal warrant analysis was performed under AM and PM peak hour conditions for the baseline with Scenario A project condition. The Scenario A project met the signal warrants, and since the Scenario B project generates slightly more traffic, it will also meet the AM and PM peak hour signal warrants.

Note that Folsom Boulevard currently has two eastbound lanes that extend approximately 25 feet east of the 67th Street intersection. The installation of a traffic signal at 67th Street would create a merging hazard if this short lane is maintained. The design of the traffic signal should ensure that this short merging section is eliminated. The final design of the intersection and signal design will be subject to review and approval by the City of Sacramento Department of Transportation.

The project applicant shall enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits or reimbursement for cost incurred beyond its fair share.

Finding: The delay at this intersection is caused by congestion spilling back from the Folsom Boulevard/65th Street and Folsom Boulevard/67th Street intersections. By implementing Mitigation Measures 4.3-2-1 and 4.3-2-2, overall intersection delays would be within five seconds of the baseline without project condition.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

Impact 4.3-2-4 Folsom Boulevard/State University Drive East Intersection. Under both Station 65 development scenarios, the addition of project traffic exacerbates unacceptable LOS D conditions in the PM peak hour and adds more than five seconds of average delay at the intersection. Without mitigation, this is a *significant impact*.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measures 4.3-2-4 - The project applicant shall pay for the City of Sacramento Traffic Operations Center to monitor and re-time the Folsom Boulevard/State University Drive East traffic signal, when required, to optimize flow through the intersection.

**Finding:** The proposed mitigation would require that the applicant pay for the City of Sacramento Traffic Operation Center to monitor and re-time the Folsom Boulevard/State University Drive East traffic signal which would reduce overall intersection delay and provide LOS C or better conditions.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-2-5 65th Street/Q Street Intersection.** Under both Station 65 development scenarios, the addition of project traffic degrades intersection operations from LOS D to LOS F conditions in the PM peak hour while adding more than five seconds of overall delay. This is considered a significant impact as defined by both the currently adopted General Plan and the Draft 2030 General Plan. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measures 4.3-2-5 - The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/Q Street traffic signal, when required, to optimize flow through the intersection.

It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects.

**Finding:** The implementation of Mitigation Measure 4.3-2-5 would require that the project applicant pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65<sup>th</sup> Street/Q Street traffic signal which would reduce overall intersection delay such that it is within five seconds of the baseline without project condition.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-2-6 65th Street/S Street/US 50 Westbound Off-ramp Intersection.** Under both Station 65 development scenarios, the addition of project traffic degrades intersection operations from LOS E to LOS F in the AM peak hour while adding more than five seconds of overall delay. Additionally, project traffic exacerbates unacceptable LOS F conditions in the PM peak hour. This is considered a significant impact. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measures 4.3-2-6 - The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/S Street/US 50 Westbound Off-ramp traffic signal to optimize flow through the intersection, when required.

It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects.

**Finding:** The implementation of Mitigation Measure 4.3-2-6 would require that the project applicant pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/S Street/US 50 Westbound Off-ramp traffic signal which would reduce overall intersection delay such that it is within five seconds of the baseline without project condition.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-2-7** 65th Street/US 50 Eastbound Off-ramp Intersection. Under Scenario B, the addition of project traffic degrades intersection operations from LOS C to LOS D in the PM peak hour. This is considered a significant impact as defined by the currently adopted General Plan. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measures 4.3-2-7 - The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/US 50 Eastbound Off-ramp traffic signal, when required, to optimize flow through the intersection.

It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects.

**Finding:** The implementation of Mitigation Measure 4.3-2-7 would require that the project applicant pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65<sup>th</sup> Street/US 50 Eastbound Off-ramp traffic signal which would reduce overall intersection delay such that it is within five seconds of the baseline without project condition.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-4** Freeway Ramp Queuing. Under both project scenarios, the addition of project-related traffic would cause the ramp queue at the Westbound US 50 off-ramp to extend beyond the available storage length. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-4 - Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR.

**Finding:** This off-ramp queuing impact was also identified in the 65th Street Transit Village Plan EIR and mitigation was proposed to widen the US 50 westbound off-ramp to

increase the storage area. This ramp widening mitigation measure will also work to reduce the significance of the Station 65 project-related impact at this location.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-5-2 Bicycle Impacts.** The construction of the Station 65 project will remove the existing bicycle locker facilities located at the 65th Street transit station. Without mitigation, this is a significant impact.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-5-1 - The City shall ensure that Regional Transit relocate/replaces the RT bicycle facilities that are currently located on the Station 65 project site. The project applicant shall construct an adequate number of bicycle lockers and racks to meet the demand created by the Station 65 project. The project applicant shall coordinate with City staff to determine the appropriate number of bicycle lockers and racks.

**Finding:** Through the implementation of Mitigation Measure 4.3-5-1, the project applicant would be required to coordinate with City staff to determine the appropriate number of bicycle lockers and racks to construct. This mitigation would sufficiently replace all existing bicycle facilities removed during project construction.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-6-2 Transit Delay.** The addition of project traffic leads to increased delays at the study intersections. The additional intersection delay could result in increased travel times for busses serving the area. Considering the bus routes serving the area are between 30 and 60 minutes in length, a three minute increase in travel time is considered a significant impact.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.3-6-2 - Implement Mitigation Measures 4.3-2-1 through 4.3-2-7.

**Finding:** Through the implementation of Mitigation Measures 4.3-2-1 through 4.3-2-7, the overall delay at the study intersections will be reduced to within five seconds of the baseline without project condition. At many of the study intersections, delay will decrease below the baseline without project condition. Therefore, with the intersection mitigation measures implemented, the project will not lead to increases in transit times that exceed 10 percent.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-8 Construction Impacts.** Construction activities would include disruptions to the transportation network near the project site, including the possibility of

temporary lane closures, street closures, sidewalk closures, and bikeway closures. Transit access may also be disrupted due to road and lane closures and as the bus stops are reconstructed. These activities could result in degraded roadway, intersection, bicycle, pedestrian, and transit conditions. Without mitigation, this is a *significant impact*.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measures 4.3-8 - Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan that will be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:

- The number of truck trips, time, and day of street closures
- Time of day of arrival and departure of trucks
- Limitations on the size and type of trucks; provision of a staging area with a limitation on the number of trucks that can be waiting
- Provision of a truck circulation pattern
- Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)
- Safe and efficient access routes for emergency vehicles
- Efficient and convenient transit routes
- Manual traffic control when necessary
- Proper advance warning and posted signage concerning street closures
- Provisions for pedestrian safety
- Provisions for temporary bus stops, if necessary

A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

**Finding:** The implementation of Mitigation Measure 4.3-8, would require the project applicant to develop a Construction Traffic and Parking Management Plan, subject to the approval of the City traffic engineer. The Construction Traffic and Parking Management Plan would reduce the project's contribution to the disruption of the existing transportation network.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.3-13-2 Bicycle Impacts.** The impacts to the bicycle system under cumulative conditions with the currently adopted General Plan in place are the same as those described under baseline conditions. Without mitigation, this is a *significant impact*.

Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to

**address this impact:**

**Mitigation Measures 4.3-13-1: Implement Mitigation Measure 4.3-5-1**

**Finding:** Through the implementation of Mitigation Measure 4.3-13-1, the project applicant would be required to coordinate with City staff to determine the appropriate number of bicycle lockers and racks to construct. This mitigation would sufficiently replace all existing bicycle facilities removed during project construction.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact Category:** Noise and Vibration

**Impact 4.4-1** Noise from construction activities has the potential to expose noise-sensitive receptors to an increased ambient noise level. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-1 - The applicant shall ensure construction equipment staging areas shall be located away from residential uses; pre-drill pile holes and use quieter “sonic” pile-drivers, where feasible; and restrict high noise activities, such as pile driving, the use of jackhammers, drills, and other generators of sporadic high noise peaks, to the hours of 7 a.m. to 6 p.m. Monday through Friday, or other such hour satisfactory to the City.

**Finding:** The closest existing residential use is 175 feet west of the project site and the nearest school is CSUS, which is located 1,300 ft. north of the project site and would not be affected by construction noise. While it is anticipated that most occupants of these closest residential units would be at work during the day and would not be exposed to construction noise. Project construction activities would be limited to the hours of 7 a.m. to 6 p.m. Monday through Saturday, and the hours of 9 a.m. to 6 p.m. on Sunday and so the noise produced from these activities would be exempt from the cumulative exterior noise limits at residential properties set by the Sacramento Municipal Code.

With implementation of the mitigation measure(s), this impact is reduced to a *less than significant* level.

**Impact 4.4-4** Operation of the proposed project has the potential to increase the ambient noise level due to increased noise from on-site stationary sources. Without mitigation, this is a *significant impact*.

**Mitigation Measure (From MMP):** The following mitigation measure(s) has been adopted to address this impact:

Mitigation Measure 4.4-4 - The Applicant shall ensure that all commercial heating, cooling and ventilation equipment shall be located within mechanical rooms where possible, or shielded from view with solid barriers or parapets.

**Finding:** The proposed project could generate noise levels from on-site activities that could exceed the City's noise ordinance standards at existing and proposed residential uses from the use of HVAC mechanical equipment. Implementation of Mitigation Measure 4.4-4 would reduce noise from heating, cooling, and ventilation equipment by providing sound barriers around the noise source.

With implementation of the mitigation measure(s), this impact is reduced to a less than significant level.

**B. Significant or Potentially Significant Impacts for which Mitigation is Outside the City's Responsibility and/or Jurisdiction.**

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the Project, are within the responsibility and jurisdiction of another public agency and not the City. Pursuant to section 21081(a)(2) of the Public Resources Code and section 15091(a)(2) of the CEQA Guidelines, the Planning Commission, based on the evidence in the record before it, specifically finds that implementation of these mitigation measures can and should be undertaken by the other public agency. The City will request, but cannot compel implementation of the identified mitigation measures described. The impact and mitigation measures and the facts supporting the determination that mitigation is within the responsibility and jurisdiction of another public agency and not the City, are set forth below. Notwithstanding the disclosure of these impacts, the Planning Commission elects to approve the Project due to the overriding considerations set forth below in Section G, the statement of overriding considerations.

**The Station 65 Project would not result in any significant impacts for which mitigation is outside of the City's responsibility and/or jurisdiction.**

**C. Significant or Potentially Significant Impacts for which Mitigation Measures Found To Be Infeasible.**

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the Project have been identified. However, pursuant to Section 21081(a)(3) of the Public Resources Code and Section 15091(a)(3) of the CEQA Guidelines, as to each such impact and mitigation measure, the Planning Commission, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible. The impact and mitigation measures and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the Planning Commission elects to approve the Project due to the overriding considerations set forth below in Section (G), the statement of overriding considerations.

**The Station 65 Project would not result in any significant or potentially significant impacts for which mitigation is found to be infeasible.**

**D. Significant and Unavoidable Impacts.**

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding disclosure of these impacts, the Planning Commission elects to approve the Project due to overriding considerations as set forth below in Section G, the statement of overriding considerations.

**Impact Category: Transportation and Circulation**

**Impact 4.3-1-2 Folsom Boulevard between 65th Street and State University Drive East. Under Scenario A conditions, the project adds traffic to a roadway segment operating at LOS F under baseline without project conditions, increasing the volume to capacity ratio by 0.05, which exceeds the City's 0.02 threshold. The Scenario B project increases the volume to capacity ratio by 0.06. These impacts will be *significant and unavoidable*.**

**Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:**

**Mitigation Measure 4.3-1-1 - The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.**

**Finding:** The impact described above could be mitigated to a less than significant level by adding one lane of roadway capacity, which would result in a decrease in volume to capacity ratios when compared to baseline without project conditions. However, the City is currently studying a revised circulation and financing plan for the 65th Street University TVP area to more closely conform to the pedestrian and transit orientation goals and policies of the TVP. The 65th Street Station Area Study and financing plan is anticipated to be presented to the City Council by June 2009 for adoption. Widening Folsom Boulevard may be seen as inconsistent with those goals and policies and, therefore, requiring the widening at this time is determined to be infeasible, as the widening may conflict with what is eventually adopted for the area. The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.

Implementation of Mitigation Measure 4.3-1-1 may not reduce the impact of the project development to a less-than-significant level because the certainty and the effectiveness of the mitigation measure cannot be guaranteed at the time. For this reason, the impact would remain *significant and unavoidable*.

**Impact 4.3-1-3 65th Street between Folsom Boulevard and S Street. Under both development scenarios, the project causes roadway segment LOS to degrade from LOS E to LOS F, while increasing the volume to capacity ratio by 0.1. This impact is *significant and unavoidable*.**

**Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:**

**Mitigation Measure 4.3-1-2 - Implement Mitigation Measure 4.3-1-1.**

**Finding:** The impacts described above could be mitigated to a less than significant level by adding one lane of roadway capacity, which would result in a decrease in volume to capacity ratios when compared to baseline without project conditions. However, the City is currently studying a revised circulation and financing plan for the 65th Street University TVP area to more closely conform to the pedestrian and transit orientation goals and policies of the TVP. The 65th Street Station Area Study and financing plan is anticipated to be presented to the City Council by June 2009 for adoption. Widening 65th Street may be seen



as inconsistent with those goals and policies and, therefore, requiring the widening at this time is determined to be infeasible, as the widening may conflict with what is eventually adopted for the area. The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.

Implementation of Mitigation Measure 4.3-1-2 may not reduce the impact of the project development to a less-than-significant level because the certainty and the effectiveness of the mitigation measure cannot be guaranteed at the time. For this reason, the impact would remain *significant and unavoidable*.

**Impact 4.3-2-1 Folsom Boulevard/65th Street Intersection. Under both Station 65 development scenarios, the addition of project traffic exacerbates unacceptable LOS F conditions in the PM peak hour and adds more than five seconds of average delay at the intersection. This impact will be significant and unavoidable.**

**Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact to the extent feasible:**

**Mitigation Measure 4.3-2-1 - Implement Mitigation Measure 4.3-1-1**

**Finding:** The impacts described above could be mitigated to a less than significant level by constructing a second westbound left-turn lane at the Folsom Boulevard/65th Street intersection. The construction of a second westbound left-turn would reduce overall intersection delay such that it is within five seconds of the baseline without project condition. However, as explained above, construction of a second westbound left turn is infeasible since it may be seen as inconsistent with the pedestrian and transit goals and policies of the 65th Street University village TVP and the subject ongoing study. The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvement.

Implementation of Mitigation Measure 4.3-1-2 may not reduce the impact of the project development to a less-than-significant level because the certainty and effectiveness of the mitigation measure cannot be guaranteed to fully mitigate the impact. For this reason, the impact would remain *significant and unavoidable*.

**Impact 4.3-2-8 Q Street/67th Street Intersection. Under both scenarios, the addition of project traffic degrades intersection operations from LOS A to LOS F in the PM peak hour. The degraded operations at this intersection are caused by queue spillback from the 65th Street/Q Street intersection. This is a significant impact.**

**Mitigation Measure (From MMP): The following mitigation measure(s) has been adopted to address this impact:**

**Mitigation Measure 4.3-2-5 - The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/Q Street traffic signal, when required, to optimize flow through the intersection.**

**It is important to note that this mitigation measure was also identified under baseline**

with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects.

Mitigation Measure 4.3-2-8 - a. Implement Mitigation Measure 4.3-2- 5

b. The project applicant shall construct a traffic signal at the Q Street/67th Street intersection and enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits or reimbursement for cost incurred beyond its fair share.

**Finding:** The implementation of Mitigation Measure 4.3-2-5 would reduce overall intersection delay and improve operations to LOS D conditions for the Scenario A project and LOS E conditions for the Scenario B project.

However, even with the mitigation measure, the intersection degrades from LOS A conditions without the project to LOS D or worse conditions with the addition of either project scenario. Additional time could be allocated to the westbound movement at the 65th Street/Q Street intersection, which would reduce the significance of the impact at the Q Street/67th Street intersection. However, by allocating more westbound time, northbound and southbound delays would increase and would degrade the operations at the 65th Street/Q Street intersection significantly.

Additionally, intersection operations could be improved by adding lanes to Q Street between 65th Street and 67th Street and by adding a southbound left-turn lane at the Q Street/67th Street intersection. However, these improvements would increase the crossing distance of pedestrians between the light rail platform and the bus stops immediately in front of the project site. This improvement would conflict with the pedestrian-oriented theme of the 65th Street transit station and the Station 65 project.

A traffic signal with eastbound protected-permissive left-turn phasing could be installed at this location. The traffic signal would have to be coordinated with the Q Street/65th Street intersection to minimize conflicts between the signals and it is recommended that a crosswalk be striped on the east leg of the intersection. The installation of a traffic signal would not significantly reduce delays at the intersection, but the LOS would improve since there are different LOS thresholds for signalized and unsignalized intersections. A peak hour signal warrant was evaluated at this location and the results indicate that this location does not meet the peak hour traffic volume warrant. However, given the proximity of the intersection to the light rail station, it is probable that the intersection would meet one of the pedestrian-based signal warrants. Therefore the installation of a traffic signal would have a secondary beneficial impact of improving the pedestrian crossing environment at this location.

The installation of the Q Street/67th traffic signal would provide acceptable LOS C conditions under the Scenario A alternative, which would reduce the significance of this intersection to a less than significant level. However, because the new signal operates at LOS D conditions under the Scenario B alternative, this impact is considered significant and unavoidable under the currently adopted General Plan LOS threshold. For these reasons, the impact remains *significant and unavoidable*.

Impact 4.3-3 Freeway Facilities. Both the Scenario A and Scenario B development alternatives would add traffic to freeway facilities that operate at LOS F conditions during either the AM or PM peak hour under baseline without project conditions. The impacted

freeway facilities are listed below:

- Eastbound US 50 mainline segment from 59th Street to 65th Street – PM peak hour
- Westbound US 50 mainline segment from 65th Street to 59th Street – AM peak hour
- Eastbound US 50 off-ramp diverge area at 65th Street – AM and PM peak hour
- Westbound US 50 slip on-ramp merge area from 65th Street – AM peak hour
- Westbound US 50 loop on-ramp merge area from 65th Street – AM peak hour
- Eastbound US 50 loop on-ramp merge area from 65th Street – AM and PM peak hour
- Eastbound US 50 weaving area between 65th Street and Howe Avenue – AM and PM peak hour
- Westbound US 50 weaving area between Howe Avenue/Hornet Drive and 65th Street – AM and PM peak hour

While either project scenario increases freeway mainline traffic volumes by less than one percent, freeway facility density and service flow increase measurably. Based on Caltrans' standards, this is considered a significant impact.

Mitigation Measure (From MMP): The following mitigation measure(s) have been identified to reduce this impact to a less than significant level. However, for the reasons set forth below, the mitigation measure(s) are rejected as infeasible:

Mitigation Measure 4.3-3 - Establish a Travel Demand Management program for the Station 65 project.

**Finding:** Given that the Station 65 project is already a transit-oriented development, freeway impacts could be reduced by encouraging additional residents and workers at the Station 65 project to take transit. This could be achieved by implementing Mitigation Measure 4.3-3. This mitigation measure would reduce peak hour freeway volumes through the establishment of a travel demand management (TDM) program. The TDM program could include incentives to take transit, carpool, bike, or walk, or it could include pricing mechanisms (e.g., peak period parking charges) to make it more costly to travel at peak times. While this mitigation measure is feasible to implement and would lead to a reduction in overall peak period auto trips, it cannot be guaranteed that enough trips would shift away from the freeway to reduce the freeway facility impacts to a less than significant level. For this reason, the impact would remain *significant and unavoidable*.

**E. Findings Related to the Relationship Between Local Short-term Uses of the Environment and Maintenance and Enhancement of Long-term Productivity.**

Based on the EIR and the entire record before the Planning Commission, the Planning Commission makes the following findings with respect to the project's balancing of local short term uses of the environment and the maintenance of long term productivity:

**Implementation of the proposed project would result in the long-term commitment of**

resources to urban development. Resources that would be permanently and continually consumed by project implementation include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources. With respect to operational activities, compliance with all applicable building codes, as well as mitigation measures, planning policies, and standard conservation features, would ensure that natural resources are conserved to the maximum extent possible. It is also possible that new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce the reliance upon nonrenewable natural resources. A less than significant irreversible impact to non-renewable resources would result from the development of the proposed project.

#### **F. Findings Regarding Greenhouse Gas Emissions**

URBEMIS 2007, which is emissions modeling software approved by EPA and CARB, was used to estimate construction and operational emissions. URBEMIS 9.2.4 estimated that the Station 65 Project would emit a peak of approximately 17,241 tons per year (tpy) of CO<sub>2</sub> during construction, which is expected to last 12 months. Once construction is completed, the project would emit 52,602 tpy of CO<sub>2</sub> from mobile and area sources. CH<sub>4</sub> and N<sub>2</sub>O emissions from mobile sources were estimated using emission factors from the Climate Change Action Registry and converted to CO<sub>2</sub>e. CH<sub>4</sub> and N<sub>2</sub>O emissions from mobile sources are estimated at 344 tpy CO<sub>2</sub>e. Indirect emissions were estimated using Climate Change Action Registry emission factors and are estimated at 14 tpy CO<sub>2</sub>e. Total first year emissions of the Station 65 Project are estimated at 70,201 tpy of CO<sub>2</sub>e and 52,960 tpy of CO<sub>2</sub>e thereafter. Annual project GHG emissions would be approximately 0.0078 percent of California's predicted contribution to global GHG emissions in 2020. Project contributions to the annual global GHG emissions in 2020 would be approximately 0.0000050 percent.

The proposed project would result in high-density mixed-use development within an urbanized area of the city adjacent to a major transportation hub. Residential development in proximity to the downtown Sacramento area has been shown to reduce average commuting lengths, according to the Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan, 2035. Given the high density and mixed use nature of the proposed development coupled with the proximity to existing employment centers and retail attractions in the City, the proposed project would most likely reduce vehicle miles travelled. This would assist in reaching California's goal to reduce statewide GHG emission under AB 32.

As discussed above, statewide emission reduction strategies and measures would result in a substantial decrease in statewide emissions to levels far below current background levels. Of the approximately 228 strategies and measures currently under consideration that would ensure a statewide reduction in GHG emissions, 19 would apply to the Station 65 Project and are shown in Section 4.5, Tables 4.5-5 and 4.5-6 of the Draft EIR (reproduced below). The other policies are not applicable to the proposed project because they are directed at state entities (e.g., CARB), are planning-level measures (e.g., general plans), or apply to particular industries (e.g., auto repair). As shown in Tables 4.5-5 (CAT Strategies) and Table 4.5-6 (CARB Early Action Measures), the Station 65 Project would be in compliance with each of the 19 applicable state climate change strategies.

**TABLE 4.5-5. CONSISTENCY WITH STATE EMISSIONS REDUCTION STRATEGIES**

<b>CAT Strategies</b>	<b>Project Consistency</b>
<b>Vehicle Climate Change Standards:</b> AB 1493 (Pavley) required the state to develop and adopts regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	These are CARB enforced standards; vehicles that access the proposed project would be required to comply with the standards.
<b>Diesel Anti-Idling:</b> In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	CARB adopted standard.
<b>Transportation Refrigeration Units (TRU), Off-Road Electrification, Port Electrification:</b> Strategies to reduce emission from TRUs, increase off-road electrification, and increase use of shore-side/port electrification.	The proposed project would include electrification of loading docks.
<b>Achieve 50 percent statewide Recycling Goal:</b> Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	Solid waste services are expected to be provided by the City of Sacramento, which are subject to the state's recycling requirements.
<b>Water Use Efficiency:</b> Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions	Use of water conservation facilities would reduce project water consumption, which would comply with current Title 24 Standards.
<b>Building Energy Efficiency Standards in Place and in Progress:</b> Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	The proposed project would comply with current Title 24 Standards.
<b>Appliance Energy Efficiency Standards in Place and in Progress:</b> Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	The proposed project would utilize energy efficient appliances.

<p><b>Smart Land Use and Intelligent Transportation Systems (ITS):</b> Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. Governor Schwarzenegger is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use and technology strategies that provide for a prosperous economy, social equity, and a quality environment.</p>	<p>The proposed project is an infill mixed use project, which include retail and residential components close to the central business region in the City of Sacramento. The proposed project is oriented adjacent to the light rail and bus stops. Providing residential units close to transportation and work reduces vehicle miles traveled by commuters. Providing retail in the same facility as residential units also reduces VMT.</p>
<p><b>Green Building Initiative:</b> Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels.</p>	<p>The proposed project would comply with current building codes, which under EO S-20-04 would require the use of green building designs.</p>
<p><b>California Solar Initiative:</b> Installation of 1 million solar roofs or and equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.</p>	<p>Where feasible the project would implement the use of photo voltaic arrays.</p>
<p><b>Energy Efficient Appliance Standards:</b> (Specific mention of lighting standards). CEC has the authority to regulate light bulb efficiency. The California Energy Commission is considering options for light bulb standards and anticipates adopting standards by January 1, 2010. The GHG emissions reductions from this strategy are still to be determined. (The GHG emissions reductions associated with other ongoing energy efficient appliance standards are expected to be 7 MMTCO<sub>2</sub>E by 2020.)</p>	<p>The proposed project would utilize energy efficient appliances.</p>

<p><b>Tire Efficiency:</b> Implementation of California's tire efficiency law, Chapter 8.7 Division 15 of the Public Resources Code. The CEC, in consultation with the California Integrated Waste Management Board, will implement a replacement tire efficiency program of statewide applicability for replacement tires for passenger cars and light-duty trucks, to ensure that replacement tires sold in the state are at least as energy efficient, on average, as the tires sold in the state as original equipment on these vehicles. This strategy is expected to result in GHG emissions reduction of &lt;1 MMTCO<sub>2</sub>E by 2020.</p>	<p>This would be a State mandated program; thus all vehicles arriving or leavening the proposed project would be subject to the program.</p>
<p><b>New Solar Homes Partnership:</b> In late 2006, the Energy Commission approved implementation rules for new residential solar installations. Effective in January 2007, approved solar systems will receive incentive funds based on system performance above building standards. This program will result in 400 MW of new, emissions-free generating capacity. The GHG emissions reductions from this strategy are still to be determined.</p>	<p>Where feasible the project would implement the use of photo voltaic arrays.</p>
<p><b>Water Use Efficiency:</b> DWR will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation. This strategy is expected to result in GHG emissions reduction of 1 MMTCO<sub>2</sub>E by 2020.</p>	<p>Use of water conservation facilities would reduce project water consumption, which would comply with current Title 24 Standards.</p>
<p>Note: AB= Assembly Bill; CARB= California Air Resource Board Source: CARB, 2007; Climate Action Team, 2006</p>	

**TABLE 4.5-6. CONSISTENCY WITH CARB STATE EMISSIONS REDUCTION STRATEGIES**

California Air Resource Board Early Action Measures	Project Consistency
<p><b>Smart Way truck efficiency:</b> Requirement of existing trucks/trailers to be retrofitted with the best available fuel efficiency and /or CARB approved Technology.</p>	<p>This would be a State mandated program; thus all trucks arriving or leavening the proposed project would be subject to the program. The program would reduce fuel use in trucks.</p>
<p><b>Low Carbon Fuel Standard (LCFS):</b> The goal of LCFS is to reduce the "carbon intensity" of California's vehicle fuel by at least 10 percent by 2020.</p>	<p>This would be a State mandated program; thus, reducing carbon emissions from all vehicles arriving and leaving the proposed project.</p>
<p><b>Anti-Idling enforcement:</b> Reduce GHG emissions though enhanced monitoring of vehicles and current anti-idleing regulations.</p>	<p>CARB adopted standard.</p>

<b>Tire inflation program:</b> Require all vehicle service facilities, such as, dealerships, maintenance garages, and smog check stations, to check and inflate tires.	This would be a State mandated program; thus all vehicles arriving or leavening the proposed project would be subject to the program.
<b>Strengthen light-duty vehicle standards:</b> Adopt new standards to phase in beginning in the 2017 model year (following up on the existing mid-term standards that reach maximum stringency in 2016).	This would be a State mandated program; thus all vehicles arriving or leavening the proposed project would be subject to the program. The program would reduce light-duty vehicle emission.
Note: AB= Assembly Bill; CARB= California Air Resource Board Source: CARB, 2007; Climate Action Team, 2006	

The project also supports the intent of the recently passed SB 375, which requires municipalities to adopt a Sustainable Communities Strategy (SCS). An SCS is an enhanced land use element that sets forth a regional growth strategy designed to achieve GHG emissions reductions. SB 375 provides for a streamlined CEQA process for residential and/or mixed-use projects consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an SCS. Eligible projects would not be required to reference, describe, or discuss growth-inducing impacts or (2) project specific or cumulative impacts from cars and light-duty truck trips on global climate change.

There is no current consensus on identification of a quantitative threshold of significance for greenhouse gas emissions for private development projects. Active discussions at the California Air Resources Board may lead to such a standard, or a scientific consensus may emerge from the ongoing debate. Based on the information available at this time, the City does not believe that basing impact significance on an arbitrary emission level would contribute to a meaningful analysis of greenhouse gas emissions or climate change in the CEQA context.

Recognizing the importance of the issue, the City is currently working with CARB, SMAQMD, and the State Attorney General to develop a comprehensive approach for identifying, assessing, and reducing impacts associated with GHG emissions. State legislation requires action by the Office of Planning and Research within the next year establishing regulations for the evaluation of greenhouse gases, and the City reasonably expects that agreement on methodology and procedures will occur within that time period.

In the absence of a specific quantitative threshold, expressed in terms of metric tons per year for example, the City evaluates projects on a project-by-project basis to reach a conclusion regarding the significance of the greenhouse gas emissions that would result. One measure is the extent to which the project complies with directly applicable emission reduction measures that would support the State's efforts to significantly reduce its cumulative contribution to global climate change and the associated impacts. These would include each of the project-applicable strategies currently identified by CARB or CAT to comply with Executive Order S-3-05 or AB 32. As shown in Section 4.5, Tables 4.5-5 and 4.5-6 in the Draft EIR, the proposed project would be in compliance with all state climate change strategies.

An overall evaluation of the impacts of the project, while subjective, is relevant. While the project would result in construction and operational emissions of greenhouse gases, these would occur in the context of a smart-growth project that has been intentionally designed to support the City's



land use policies that call for infill development and support for transit. The location and design of the proposed project are in many cases self-mitigating and help to minimize the project's direct impact to the physical environment. The project site is a visible and strategic site in the 65th Street area, and would contribute to the various efforts to develop a neighborhood that promotes integration with the CSU campus. The juxtaposition of the proposed land uses and the Regional Transit hub is recognized as a substantial opportunity to promote transit use and decrease miles traveled in personal automobiles. The project appears to fully comply with the intent of SB 375 and thus making a beneficial contribution to the City's overall efforts to plan for a sustainable future.

An evaluation of the proposed project based on these considerations supports the conclusion that the incremental effect of the proposed project would not be cumulatively considerable, as defined in CEQA Guidelines 15065(a)(3). As stated in CEQA Guidelines 15130, "where a Lead Agency is examining a project with an incremental effect that is not 'cumulatively considerable,' a Lead Agency need not consider that effect significant." Accordingly, the City has determined that the Station 65 Project would have a less than significant impact on cumulative greenhouse gas emissions.

#### **G. Project Alternatives.**

The Planning Commission has considered the Project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The Planning Commission finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives do not meet the objectives of the Station 65 Project. Each alternative and the facts supporting the findings of each alternative are set forth below.

#### **Alternatives Considered and Dismissed from Further Consideration**

**Alternative Sites** Many development projects can be relocated to a variety of locations and still meet the stated objectives of the project. In this case, however, the proposed project is explicitly tied to the 65th Street/University Transit Village Plan (Transit Village Plan) Area, which has been identified in planning documents as an area to be re-developed for transit-oriented mixed-uses. Relocating the proposed project to an undeveloped location would most likely involve far greater impacts to natural resources than the proposed redevelopment of the Transit Village Plan Area. As the area has been previously developed, the development on the project site would result in minimal impacts to the environment (specifically biological and natural resources). Development of the proposed project outside of the urban center would not achieve the beneficial impacts generally associated with mixed-use infill projects. The development of an alternative site outside of the urban core would likely have greater impacts related to air quality, noise, and transportation. As a result, evaluation of an alternative site located outside of the urban center was eliminated from further consideration. An alternative infill site with similar transportation/transit access and planning designations has not been identified.

**Alternative Land Use** Consideration of alternative land use designations, such as low density residential housing, regionally serving commercial uses, open space, or industrial uses, would be inconsistent with planning documents. Mixed-use, high-density development is generally considered a preferred land use for such an infill site. Such developments offer an alternative to sprawl, providing a self-supporting mixture of land uses that support walkable neighborhoods. In addition, alternative land uses would not meet the stated objectives of the proposed project.

## **Summary of Alternatives Considered**

**No Project/Existing Transit Village Plan Land Use Designation Alternative (Alternative B)** assumes that the project site would be developed consistent with the land use designations and intensities identified in Transit Village Plan. Alternative B provides decision makers with an opportunity to consider the environmental implications of the buildout of the project site with the anticipated levels of commercial mixed-use development identified in the Transit Village Plan for the Station Block Area. Land uses under Alternative B would be consistent with the anticipated levels of development for the commercial mixed-use densities for the project site identified within the Transit Village Plan. Alternative B would consist of 24,000 square feet (sq ft) of office space (approximately 29,000 sq ft less than Scenario A and approximately 48,000 square feet less than Scenario B), and 20,000 square feet of commercial space (approximately 153,000 sq ft less than Scenarios A and B). The Transit Village Plan does not anticipate residential land uses within the portion of the Station Block area comprising the footprint of the proposed project.

**Reduced Density/Intensity Alternative (Alternative C)** assumes that the project site would be developed at a lower density than the proposed project through a reduction in the maximum allowable building height. Alternative C provides decision makers with an opportunity to consider the environmental implication of adjusting the land use density/intensity of the Transit Village Plan area. This alternative would reduce land uses under Scenario A of the proposed project by approximately 20 percent. This alternative would provide 55 residential units (approximately 13 units less than Scenario A and approximately 65 units less than proposed project Scenario B), 42,400 sq ft of office development (approximately 10,600 sq ft less than Scenario A and approximately 29,600 sq ft less than the proposed project Scenario B); and 51,200 sq ft of retail (approximately 12,800 sq ft less than Scenarios A and B); 118 hotel rooms (approximately 29 less than Scenarios A and B); a 24,000 square foot fitness center (approximately 6,000 sq ft less than Scenarios A and B); and would provide approximately 495 parking spaces (approximately 123 less than Scenario A and 628 less than Scenario B). The overall development expected to occur under this alternative consists of 405,600 of sq ft, which is approximately 101,400 sq ft less than Scenario A and 200,400 sq ft less than the proposed project.

## **No Project/No Development Alternative**

No Project/No Build Alternative assumes that the proposed project would not be built and there would be no new development of the site. This alternative assumes the existing buildings and uses on the site would continue.

## **Facts in Support of Finding of Infeasibility**

The No Project/Existing Transit Village Plan Land Use Designation Alternative (Alternative B) would generally accomplish the project objective of stimulating commercial growth in the area of the proposed project. The degree of stimulation, however, would be commensurate with the reduced intensity of planned development. As described above, Alternative B would result in the development of considerably less square footage of office and commercial use. In addition, Alternative B would not include the development of the residential uses on the site. Residential uses are an integral component of the pedestrian oriented proposed project.

The Reduced Density/Intensity Alternative (Alternative C) would generally accomplish the project objective of stimulating commercial growth in the area of the proposed project. The degree of stimulation, however, would be commensurate with the reduced intensity of planned development. As described above, Alternative C would result in the development of 20 percent less

commercial/retail square footage and 20 percent fewer residential units than the proposed project. The proposed project would better meet the goals identified in the 65<sup>th</sup> Street/University Transit Village Plan for the development of the project site as a high-density mixed use transit oriented development. The proposed project would be a more dense development that would have the ability to accommodate a larger number of patrons and businesses thereby contributing to the economic stability of the project area. Alternative C would not be utilizing the location and the proximity of the project site to existing transit facilities to its fullest potential.

#### **H. Statement of Overriding Considerations:**

Pursuant to Guidelines section 15092, the Planning Commission finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections 5.0 through 5.6. The Planning Commission further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The Planning Commission makes this statement of overriding considerations in accordance with Section 15093 of the Guidelines in support of approval of the Project.

#### **Statement of Overriding Considerations:**

- a. The proposed project promotes the City's goals and policies as related to transit oriented mixed-use development in the project area embodied in its General Plan.
- b. The proposed project would construct a high quality mixed use office, retail, hospitality, and residential development on property located in the Station Block area of the Transit Village Plan.
- c. The proposed project would promote the development of regional commercial uses adjacent to the intersection of Folsom Boulevard and 65th Street to meet current commercial and residential needs and enhance area property values.
- d. The proposed project would foster economic and employment opportunities within the City of Sacramento through the development of underutilized property within the Transit Village Plan area.
- e. The proposed project would be designed to provide the necessary circulation and infrastructure improvements to accommodate development of the property consistent with City and District transportation objectives and designs.
- f. The proposed project would optimize the use of the 65th Street Light Rail/Bus Transfer Station.
- g. The proposed project would be designed to improve pedestrian connectivity between the 65th Street Light Rail/Bus Transfer Station and adjacent commercial, retail, and residential land uses.
- h. The proposed project would encourage increased transit ridership in the project area through enhancing the density of commercial, residential, and retail development adjacent

to existing transit facilities.

- i. The proposed project would act as a community center and serve as a pedestrian friendly meeting and gathering hub.
- j. The proposed project would provide a venue for enhancing the community's local culture and social atmosphere.

## MITIGATION MONITORING AND REPORTING PLAN

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### INTRODUCTION

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. CEQA also requires reporting on and monitoring of mitigation measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This Mitigation Monitoring and Reporting Plan (MMRP) is designed to aid the City of Sacramento (City) in its implementation and monitoring of measures adopted from the Station 65 Project EIR.

The mitigation measures are taken from the Station 65 Project Draft EIR and appear here in **Table 1** under the same identification number in the Draft EIR. Presented in table format, this MMRP and it describes the actions that must take place to implement each mitigation measure, the timing of those actions, the entities responsible for implementing and monitoring the actions, and the means to verify compliance.

### MITIGATION MONITORING REPORTING PROGRAM COMPONENTS

**Mitigation Measure:** All mitigation measures identified in the Station 65 Draft EIR are presented and numbered as they appear in the Draft EIR. Each mitigation measure is labeled to identify if it applies to Scenario A, Scenario B, or both. Any change to the text of a mitigation measure presented in **Chapter 2.0**, Changes to the Draft EIR, of this Final EIR is included in this MMRP.

**Action:** Identifies the action that must be completed in order for the mitigation measure to be considered implemented. For every mitigation measure, at least one action is described.

**Implementing Party:** Identifies the entity that will be responsible for implementing the action.

**Timing:** Each action must take place prior to the time a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction, or on an ongoing basis. The timing for each measure is identified in **Table 1**.

**Monitoring Party:** Identifies the entity that will be responsible for monitoring implementation of the required action. The City is responsible for ensuring that most mitigation measures are successfully implemented. Within the City, a number of departments and divisions will have responsibility for monitoring some aspect of the overall project.

**Verification of Compliance:** Identifies verification of compliance for each identified mitigation measure.

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

TABLE 1. MITIGATION MONITORING PLAN

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<b>Mitigation Measure 4.3-1-1:</b> The project will be required to participate in whatever financing mechanism is in place at the time of issuance of building permits to fund, on a fair-share basis, the cost of installation of the improvements.	Verify the applicable fair-share financing mechanisms to fund roadway improvements.	Project applicant and City of Sacramento to determine fair-share costs.	Prior to the issuance of a building permit.	City of Sacramento Development Services/ Department of Transportation (DOT)	
<p><b>Mitigation Measure 4.3-2-2:</b> The project applicant shall construct a traffic signal at the Folsom Boulevard/67th Street intersection and ensure that separate right and left-turn lanes are constructed on the northbound approach to the intersection.</p> <p>A signal warrant analysis was performed under AM and PM peak hour conditions for the baseline with Scenario A project condition. The Scenario A project met the signal warrants, and since the Scenario B project generates slightly more traffic, it will also meet the AM and PM peak hour signal warrants.</p> <p>Note that Folsom Boulevard currently has two eastbound lanes that extend approximately 25 feet east of the 67th Street intersection. The installation of a traffic signal at 67th Street would create a merging hazard if this short lane is maintained. The design of the traffic signal should ensure that this short merging section is eliminated. The final design of the intersection and signal design will be subject to review and approval by the City of Sacramento Department of Transportation.</p> <p>The project applicant shall enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits, or reimbursement for cost incurred beyond its fair share.</p> <p>Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.</p>	<p>The project applicant shall work with the City's DOT to construct the traffic signal and to enter into an agreement regarding future credits and/or reimbursements the project applicant may be eligible for.</p> <p>The project applicant shall enter into an agreement with DOT regarding the eligibility for the project applicant to obtain future credits and/or reimbursements for costs incurred.</p>	<p>Project applicant to construct the traffic signal.</p> <p>DOT to review and approve design of the traffic signal.</p>	Prior to the issuance of a building permit.	City of Sacramento Development Services/DOT	
<b>Mitigation Measure 4.3-2-3:</b> Implement Mitigation Measures 4.3-2-1	See MMs 4.3.2-1 and				

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
and 4.3-2-2.  Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	4.3.2-2.				
<b>Mitigation Measures 4.3-2-4:</b> The project applicant shall pay for the City of Sacramento Traffic Operations Center to monitor and re-time the Folsom Boulevard/State University Drive East traffic signal, when required, to optimize flow through the intersection.  Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	Project applicant to pay fees associated with monitoring and re-timing the Folsom Boulevard/State University Drive East traffic signal.	City of Sacramento DOT.	As needed during project construction and operation.	City of Sacramento Development Services/DOT	
<b>Mitigation Measures 4.3-2-5:</b> The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/Q Street traffic signal, when required, to optimize flow through the intersection.  It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	Project applicant to pay fair share contribution to City DOT for the monitoring and re-timing of the 65 <sup>th</sup> /Q Street signal.	City of Sacramento DOT.	As needed during project construction and operation.	City of Sacramento Development Services/DOT	
<b>Mitigation Measures 4.3-2-6:</b> The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/S Street/US 50 Westbound Off-ramp traffic signal to optimize flow through the intersection, when required.  It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.	The project applicant shall pay their fair share contribution for the monitoring and re-timing of the 65 <sup>th</sup> Street/S Street/U.S. 50 Westbound off-ramp traffic signal.	City of Sacramento DOT.	As needed during project construction and/or operation	City of Sacramento Development Services/DOT	

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<p><b>Mitigation Measures 4.3-2-7:</b> The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operations Center to monitor and re-time the 65th Street/US 50 Eastbound Off-ramp traffic signal, when required, to optimize flow through the intersection.</p> <p>It is important to note that this mitigation measure was also identified under baseline with project conditions for the South 65th Street Center (Target project), the 65th Street Transit Village project, and other projects. Figure 4.3-22 shows the proposed mitigation, and Tables 4-28 and 4-29 present the LOS results for Scenario A with mitigation and Scenario B with mitigation, respectively.</p>	The applicant shall pay their fair share contribution to the City of Sacramento DOT for monitoring and re-timing the 65 <sup>th</sup> Street/US 50 eastbound off-ramp signal.	City of Sacramento DOT	As needed during project construction and operation.	City of Sacramento Development Services/DOT	
<p><b>Mitigation Measure 4.3-2-8:</b></p> <p>a. Implement Mitigation Measure 4.3-2- 5</p> <p>b. The project applicant shall construct a traffic signal at the Q Street/67th Street intersection and enter into agreement with the City that if a finance plan is later adopted and implemented that includes the signal, the applicant shall be considered for credits or reimbursement for cost incurred beyond its fair share.</p>	<p>See <b>MM 4.3.2-5.</b></p> <p>Project applicant to construct the traffic signal at Q Street/67<sup>th</sup> Street. Project applicant to work with City DOT to enter into an agreement for the reimbursement of costs incurred during the installation of the traffic signal.</p>	City of Sacramento DOT	Prior to project operation.	City of Sacramento Development Services/DOT	
<b>Mitigation Measure 4.3-3:</b> Establish a Travel Demand Management program for the Station 65 project.	The project applicant will work with the City DOT to establish a Travel Demand Management program for the proposed project.	City of Sacramento DOT	Prior to project operation.	City of Sacramento Development Services/DOT	
<b>Mitigation Measure 4.3-4:</b> Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR.	The applicant shall pay their fair share contribution for the widening of the westbound US 50 off-ramp.	City of Sacramento DOT	Prior to project operation.	City of Sacramento Development Services/DOT	
<b>Mitigation Measure 4.3-5-1:</b> The City shall ensure that Regional Transit relocate/ replaces the RT bicycle facilities that are currently	Regional Transit (RT) to relocate bicycle facilities.	RT to implement the	Prior to project	City of Sacramento	



## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
located on the Station 65 project site. The project applicant shall construct an adequate number of bicycle lockers and racks to meet the demand created by the Station 65 project. The project applicant shall coordinate with City staff to determine the appropriate number of bicycle lockers and racks.	Project applicant to construct an adequate number of bicycle lockers and racks to meet project demand. Project applicant to work with City staff to determine the appropriate number of bike racks and lockers.	relocation of bicycle facilities.  Project applicant to construct bicycle racks and lockers.	operation.	Development Services/DOT	
<p><b>Mitigation Measures 4.3-8:</b> Before issuance of grading permits for the project site, the project applicant shall prepare a detailed Traffic Management Plan (TMP) that will be subject to review and approval by the City Department of Transportation, Regional Transit, and local emergency service providers, including the City of Sacramento fire and police departments. The plan shall ensure maintenance of acceptable operating conditions on local roadways and transit routes. At a minimum, the plan shall include:</p> <ul style="list-style-type: none"> <li>• The number of truck trips, time, and day of street closures</li> <li>• Time of day of arrival and departure of trucks</li> <li>• Limitations on the size and type of trucks;</li> <li>• provision of a staging area with a limitation on the number of trucks that can be waiting</li> <li>• Provision of a truck circulation pattern</li> <li>• Provision of a driveway access plan to maintain safe vehicular, pedestrian, and bicycle movements (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)</li> <li>• Safe and efficient access routes for emergency vehicles</li> <li>• Efficient and convenient transit routes</li> <li>• Manual traffic control when necessary</li> </ul>	<p>Project Applicant to prepare a detailed TMP. The TMP will include, but is not limited to, the provisions outlined in Mitigation Measure 4.3-8.</p> <p>The TMP is subject to review and approval from City DOT, RT, and local emergency service providers.</p> <p>The project applicant shall submit a copy of the TMP to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.</p>	<p>Project applicant to prepare TMP.</p> <p>City DOT, RT, and local emergency service providers to review and approve TMP.</p>	Prior to the issuance of a grading permit.	City of Sacramento Development Services/DOT	

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<ul style="list-style-type: none"> <li>• Proper advance warning and posted signage concerning street closures</li> <li>• Provisions for pedestrian safety</li> <li>• Provisions for temporary bus stops, if necessary</li> </ul> <p>A copy of the construction traffic management plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.</p>					
<b>Mitigation Measure 4.3-11:</b> Pay fair share to widen the westbound US 50 off-ramp as described in the 65th Street Transit Village Plan EIR. Also, implement Mitigation Measures 4.3-3.	See MM 4.3-4.				
<b>Mitigation Measure 4.3-13-1:</b> Implement Mitigation Measure 4.3-5-1.	See MM 4.3-5-1.				
<b>Mitigation Measure 4.3-15:</b> 1. Revise the site plan to relocate the CSUS shuttle stop or to provide acceptable turning movements to accommodate the operation of both the CSUS shuttle and the hotel drop-off/ pick-up service. The revised site plan shall be subject to review and approval by the City of Sacramento, Department of Transportation.  2. Implement one of the following mitigation measures to reduce the significance of the Q Street driveway impact: <ol style="list-style-type: none"> <li>i. Design project driveway at Q Street to operate as right-in/right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location shall be subject to review and approval of the City's Traffic Engineer.</li> <li>ii. Design project driveway at Q Street to operate as right-out only. A raised median shall be required to prohibit the left turn into the driveway from Q Street and out to Q Street. The project applicant shall also provide a left-in/right-in driveway on 67th Street located between the proposed northerly driveway and Q Street. In association with the driveway, a "Keep Clear" area should be signed and striped</li> </ol>	Project Applicant to revise project site plans to relocate CSUS shuttle stop or to provide acceptable turning movements. City Department of Transportation to review and approve revised plans.	City DOT to review and approve revised site plans.	Prior to project construction.	City of Sacramento Development Services/DOT	

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
<p>on southbound 67th Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at these locations shall be subject to review and approval of the City's Traffic Engineer. City of Sacramento Department of Transportation staff and the project applicant shall work with Regional Transit to relocate the bus bay that is eliminated by the new 67th Street driveway</p> <p>i. iii.Design project driveway at Q Street to operate as right in/right out during all hours of the day, with left in turns allowed during certain off peak hours. A "Keep Clear" area shall be signed and striped on westbound Q Street in front of the driveway. The off-peak hours will be determined through a traffic operations monitoring program to be paid for by the project applicant and administered by the City. In order to prevent traffic from queuing into 65th Street, the off-peak hours may vary over time as traffic conditions change with the buildout of the area. During the peak-hours, the left-turn shall be prohibited by traffic cones, an automatic gate, or similar device that meets requirements set by the City's Traffic Engineer. The device that prohibits left-turns shall be installed by the project applicant and maintained by the property owner. In conjunction with the closure device, the project applicant shall also construct raised medians along Q Street. Since driveway approval is within the authority of the City's Traffic Engineer, the final design and lane geometry at this location, and specification of enforcement mechanisms to prevent peak-hour left-turns shall be subject to review and approval of the City's Traffic Engineer.</p>					
<b>4.4 Noise and Vibration</b>					
<p><b>Mitigation Measure 4.4-1:</b> The applicant shall ensure construction equipment staging areas shall be located away from residential uses; pre-drill pile holes and use quieter "sonic" pile-drivers, where feasible; and restrict high noise activities, such as pile driving, the use of jackhammers, drills, and other generators of sporadic high noise peaks, to the hours of 7 a.m. to 6 p.m. Monday through Friday, or other such hour satisfactory to the City.</p>	<p>Project applicant to ensure that noise reduction and attenuation measures are implemented as set forth in MM 4.4-1.</p>	<p>Project applicant and/or contractor.</p>	<p>Prior to issuance of a building permit, implement measures during ground disturbing</p>	<p>City of Sacramento Building Division.</p>	

## Exhibit B: Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
			construction activities.		
<b>Mitigation Measure 4.4-4:</b> The Applicant shall ensure that all commercial heating, cooling, and ventilation equipment shall be located within mechanical rooms where possible, or shielded from view with solid barriers or parapets.	Project applicant to ensure that noise reduction and attenuation measures are implemented as set forth in MM 4.4-2.	Project applicant and/or contractor.	Prior to issuance of a building permit, City will verify location of HVAC equipment.	City of Sacramento Building Division.	

**C. Tentative Map** to merge and re-subdivide three (3) parcels into four (4) parcels totaling approximately 4.29 acres and to designate the parcels for condominium purposes in the General Commercial Transit Overlay (C-2-TO) zone is **approved** based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:
  - a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;
  - b. The site is physically suitable for the type of development proposed and suited for the proposed density;
  - c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;
  - d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
  - e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the 65th Street / University Transit Village Plan, and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);
5. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

D-F **Special Permit** to develop a major project of over 40,000 square feet within the General Commercial Transit Overlay (C-2-TO) zone, **Special Permit** to waive required parking; (Applies to Option 1 Only), and **Special Permit** to construct Alternative Ownership Housing (Condominiums) are **approved** based on the following Findings of Fact:

1. The proposed project is based upon sound principles of land use in that it is consistent with the 65th Street / University Transit Village Plan goals, principles, and land use designation. The mixed use transit orientated development project is allowed in the General Commercial (C-2) zone and the Transit Overlay zone.
2. The project, as conditioned, will not be detrimental to the public health, safety, or welfare or result in the creation of a public nuisance in that the project will establish a unique architectural presence in the community, and will provide:
  - a Landscaping that will be placed within properly sized planters to enhance the pedestrian plaza and public areas and will be maintained to provide optimum shading and surveillance opportunities;
  - b On-site lighting that will be placed to illuminate the project and the public area but will be screened from impacting adjacent roadways or properties;
  - c Sufficient parking spaces generally meet the City's parking space requirement for a commercial mixed-use center within the Transit Overlay (TO) zone;
  - d On-site bicycle and pedestrian connectivity as well as cross-walks on all public streets for safer off-site pedestrian and bicycle connections.
3. The proposed project is consistent with the commercial land use policies and development requirements of the General Plan and the 65<sup>th</sup> Street / University Transit Village Plan in that the project will be promoting the strategic development of an underutilized, infill property located at a key commercial transportation corridor.

The project also complies with the 65<sup>th</sup> Street / University Transit Village Plan by:

- a Creating innovative mixed-use designs that take full advantage of the proximity to the Transit Center, CSUS, and existing and future retail opportunities.
- b Respecting the scale and character of the adjacent neighborhood through attention to views, building scale and orientation, and proximity to adjacent uses.
- c Allowing a mix of community and neighborhood uses that will serve the residential, employee, and student population of the area.
- d Constructing a more environmentally friendly building that will be the equivalent of LEED Silver status. [LEED is initial for The Leadership in Energy and Environmental Design, Green Building Rating System, developed by the U.S. Green Building Council (USGBC)].

**G-H Variance** to exceed the height limit in General Commercial Transit Overlay (C-2-TO) zone and **Variance** to reduce the setback requirement for a building taller than 28 feet in General Commercial Transit Overlay (C-2-TO) zone are **approved** based on the following Findings of Fact:

1. Granting the Variance does not constitute a special privilege extended to one individual property owner in that the encroachment is minor in nature and does not disturb the project's ability to provide a pleasing and shaded streetscape. The building design itself will create a pedestrian friendly environment without impeding the flow of pedestrians on and off buses in this area; thus, granting the variance would be appropriate for any property owner facing a similar circumstance.
2. Granting the variance does not constitute a use variance in that the proposed uses are permitted subject to the granting of a special permit.
3. Granting the variance will not be detrimental to the public welfare, nor to property in the vicinity of the project in that the project generally meets the development standards stated in the Zoning Codes and the project is designed to be consistent with the goals of the General Plan and the 65<sup>th</sup> Street / University Transit Village Plan.
4. The variance is consistent with the general purpose and policies of the General Plan and the 65<sup>th</sup> Street / University Transit Village Plan and will contribute positively to the surrounding uses.

**I. Special Permit** to establish three (3) neighborhood identification signs is **approved** based on the following Findings of Fact:

1. The proposed neighborhood identification signs are consistent with the 65th Street / University Transit Village Plan goals and principles in that the signage is proportional in size, style, and quantity to the building mass and articulation.
2. The signage program will not be detrimental to the public health, safety, or welfare or result in the creation of a public nuisance in that the signage will establish a unique architectural identity in the community. The quantity and quality of the proposed signage is appropriate for the mixed-use project with its four street frontages, two of which are on major streets (Folsom Boulevard and 65<sup>th</sup> Street).
3. The proposed project is consistent with the commercial land use policies and development requirements of the General Plan. It also complies with the 65th Street / University Transit Village Plan by:
  - a Creating proportionally scaled signage that takes full advantage of the proximity to the Transit Center, CSUS, and existing and future retail opportunities.
  - b Respecting the scale and character of the adjacent neighborhood through attention to views, signage scale and orientation, and proximity to adjacent uses.

**J-L Variance** to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway, **Variance** to exceed the 20' sign placement height limit within 660' of a freeway, and **Variance** to allow additional attached signs for major tenants are **approved** based on the following findings of fact:

1. The variances would be appropriate for any property owner facing similar circumstances in that:
  - a The variance would be appropriate for any property owner facing similar circumstances in that the proposed building elevations along Interstate 50, 65th Street, and Q Street are setback and typically lower than the adjacent freeway (the parapet is approximately seven feet above the roadway bed) making signage visibility a challenge.
  - b With the future bus's reader boards, parking access, hotel drop off, and design with transparency for ground floor retails, there is not much space for signs being placed under 20 feet.
  - c The signage program strives to balance advertising needs for such a large mixed-use complex and the aesthetic of the roadway view shed.
2. No use variance is requested; the proposed signs are not prohibited subject to approval of entitlements.
3. Approval of the variance will not be injurious to public welfare nor to property in the vicinity in that:
  - a by providing adequate signage the success of the mixed-use complex is promoted and a blighted infill property will be reused and revitalized.
  - b The signage quantities, placement, and sizes respects the scale and character of the adjacent neighborhood through attention to views, building scale and orientation, and proximity to adjacent uses as outlined in the 65th / University Transit Village Plan.
4. The proposed development is otherwise consistent with the zoning regulations in that the safety and aesthetic of the area is not impaired. The proposal does not violate any applicable policies and goals of the General Plan and the 65th / University Transit Village Plan.



## **Conditions Of Approval**

- C. Tentative Map** to merge and re-subdivide three (3) parcels into four (4) parcels totaling approximately 4.29 acres and to designate the parcels for condominium purposes in the General Commercial Transit Overlay (C-2-TO) zone is **approved** subject to the following Conditions of Approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P08-068). The design of any improvement not covered by these conditions shall be to City standard.**

The applicant shall satisfy each of the following conditions prior to filing the Parcel Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Transportation.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

### **GENERAL: All Projects**

- C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
- C2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Transportation after consultation with the U.S. Postal Service;
- C3. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 1, 2, 3, 4 and 5, at no cost, at the time of sale or other conveyance of either parcel;
- C4. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P08-068);
- C5. Show all continuing and proposed/required easements on the Final Map;
- C6. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition;

**DOT: Streets**

- C7. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property per City standards and to the satisfaction of the Department of Transportation;
- C8. Dedicate sufficient right of way and construct full frontage improvements along 65th Street to accommodate parking and striped bike lanes. Parking is allowed along 65th street in the segment from north of Q Street to the first project driveway (Shuttle access) to the satisfaction of the Department of Transportation;
- C9. Dedicate sufficient right of way and construct full frontage improvements along Folsom Boulevard to accommodate the second (west bound to south-bound) left turn lane, parking and striped bike lanes. (Note: If the 65th Street Area Transportation Plan shows the elimination of the dual left requirement, then the applicant does not have to dedicate any additional right-of-way to accommodate the dual left lane). The dedication along Folsom Boulevard would widen to accommodate a 14-foot right turn for a distance of 200-feet west of 67th Street for the future signal at Folsom Boulevard and 67th Street. The final design of the intersection shall show all appropriate transitions and lane configurations consistent with the Signal Design Concept Report and to the satisfaction of the Department of Transportation. The dedication and construction of improvements along Folsom Boulevard shall be to the satisfaction of the Department of Transportation. Parking within the right turn lane shall be restricted to off peak hours only. The applicant shall provide for all signage and markings to accommodate this restriction;
- C10. The applicant shall coordinate with Regional Transit and Dedicate 67th Street as a Public street prior to recording the Final Map to the satisfaction of the Department of Transportation;
- C11. The applicant shall dedicate sufficient right-of-way and construct full frontage improvements along Q Street with no on-street parking. At the intersection of Q Street and 65th Street, the applicant shall dedicate sufficient right of way to provide for an expanded intersection. The expanded intersection shall have a 12-foot exclusive right turn lane, a 12-foot left turn lane, a 10-foot center turn lane, and 12-foot through lane (east bound) and a 21-foot Regional Transit Bus Parking. This shall also include an additional 3-feet of dedication to accommodate two raised curbs for the left turn pocket (1-foot and 2-foot raised curbs). Within the 2-foot raised curb, the applicant shall construct a decorative fence to eliminate any mid-block crossings at that location. The dedication and construction of improvements along Q Street shall be to the satisfaction of the Department of Transportation;
- C12. Dedicate sufficient right-of-way and construct full frontage improvements along 67th Street. The segment of 67th Street (Outside the expanded intersection) shall consist of two 11-foot traffic lanes and 11-foot bus parking on both sides of 67th Street. At the expanded intersection (at Folsom Boulevard), 67th Street shall have an exclusive right-turn lane, an exclusive left turn lane, and a 14-foot travel lane (Southbound) to accommodate bus

turning. The dedication and construction of improvements along 67th Street shall be to the satisfaction of the Department of Transportation. No bulb-outs shall be constructed at this intersection as proposed, and No bulb-outs shall be constructed at the intersection of Q Street and 67th Street intersection;

- C13. The applicant shall construct a left turn pocket for the proposed driveway along Q Street. The proposed driveway shall function as a right-in/right-out and left in only driveway. The left-in movements shall be restricted to off peak hours determined by the City Traffic Engineer and the Department of Transportation. To accommodate the restriction of movements (At peak hours), the applicant shall construct a gate (or any other mechanism acceptable to the DOT) within the left turn pocket at a location acceptable to the Department of Transportation. The project's Owners Association shall be responsible for the maintenance of any restrictive device at this driveway. The applicant shall also be responsible for all markings and required signage at this driveway;
- C14. The applicant shall enter into an agreement with the City to provide for a design of the Q Street driveway including all monitoring equipment, a Monitoring Management Plan and Implementation Plan. The applicant shall also pay for monitoring of the proposed driveway along Q Street including the cost of installing any required cameras and/or staff costs to ensure compliance with the conditions of approval and safety at the proposed Q Street driveway. In the case, after monitoring, the City Traffic Engineer found that the driveway has operational and safety issues, the applicant or Owner's Association are responsible for removing the left turn pocket, any monitoring equipment, any restrictive devices and any signage and markings from this driveway location to the satisfaction of the Department of Transportation (all provisions within this condition shall be included in the Agreement);
- C15. The applicant shall dedicate an area along 67th Street south of the proposed driveway to accommodate an on-street loading zone to the satisfaction of the Department of Transportation;
- C16. The applicant shall construct the proposed shuttle turn-around along 65th street in a manner that accommodates the shuttles turn around without backing onto 65th street to the satisfaction of the Department of Transportation;
- C17. All new driveways shall be designed and constructed to City Standards and to the satisfaction of the Department of Transportation;
- C18. This project shall require street lighting. There is an existing street lighting system around this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction;
- C19. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Transportation;
- C20. Construct traffic signals at the following intersections when required by the Department of Transportation (if not already in place):

- a. Folsom Boulevard and 67th Street
- b. Q Street and 67th Street

NOTE: The Department of Transportation shall determine the need for signals, based on CalTrans signal warrants and known pending development projects prior to the Issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Parcel Map. Signal design and construction shall be to the satisfaction of the Department of Transportation and may be subject to reimbursement. **The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities, related appurtenances, and appropriate bike detection.** The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services.

- C21. The applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process;
- C22. The applicant shall construct a raised median along 65th Street on the segment south of the light rail tracks and north of the west bound Off ramp (as an extension of the existing median). The raised median shall be directly across the existing driveway of the Jackson property and shall be per City standards and to the satisfaction of the Department of Transportation and shall meet the CPUC requirements (General Order 88-B);
- C23. The applicant shall Participate in the 65<sup>th</sup> Street/University Transit Village Finance Plan and pay all necessary fees to the satisfaction of The Planning Department;
- C24. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such streets shall be aligned.
- C25. Construct A.D.A. compliant ramps (if Non-compliant) along the frontage of this project site at the following intersections and to the satisfaction of the Department of Transportation:
  - a Folsom Boulevard and 65<sup>th</sup> Street
  - b Folsom Boulevard and 67<sup>th</sup> Street
  - c Q Street and 65<sup>th</sup> Street
  - d Q Street and 67<sup>th</sup> Street
- C26. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit;

## **PUBLIC/PRIVATE UTILITIES**

- C27. The Station 65 (CS P08-068) is; a commercial -mixed use development project with transit oriented improvements, and; subject to SMUD RULE 16 conditions for provision of service coordinated with the applicant at the time a service request is submitted.

SMUD has existing 21kV underground facilities located across 65th Street at the

northwest corner area of the Project that can be used in the provision of new services for the site. This may require a bore (or trench) across 65th St. bringing the circuit to the serve the projects' needs. It is anticipated that two (2) -10' x 10' pad mounts for switchgear and transformer will be required.

Any revisions or deletions relative to the above conditions must be submitted in writing by the Real Estate section of SMUD. No verbal or other written agreements shall be accepted by the City of Sacramento.

## **CITY UTILITIES**

- C28. If the finance plan or equivalent funding mechanism is not established prior to the final map, the applicant is required to enter into an agreement assuring payment of its fair share, to the satisfaction of the Department of Utilities and the City Attorney;
- C29. Per City Code 13.04.070 and the Department current Tap Policy, commercial lots may have more than one domestic tap. Any new domestic water services shall be metered. Construction of water services shall be deferred until the time of Building Permit. The point of service shall be at the public right of way;
- C30. The clubhouse and pool area may have a separate tap from the public distribution system for a metered domestic water service;
- C31. Per City Code, the point of service for water and storm drain service is located at the back of curb for separated sidewalks or at the back of sidewalk for attached sidewalks. The onsite water and storm drain systems shall be private systems maintained by the condominium association;
- C32. Multiple fire services are allowed per parcel and may be required;
- C33. Common area landscaping shall have a minimum of one (1) separate tap from the public distribution system for a metered irrigation service;
- C34. An ownership association shall be formed and C.C. & R's shall be approved by the City and recorded prior to the initiation of any City utility services to the project. The onsite water, sewer and storm drain systems shall be private facilities maintained by the owners' association formed pursuant to the provisions of sections 1350 et seq. of the California Civil Code (the Davis-Stirling Common Interest Development Act). The CC&Rs recorded for the project (as "governing documents" defined in Civil Code section 1351(j)), shall authorize and require the owners' association to maintain these facilities and to obtain and pay for water, sewer and storm drain service for the project (including the condominiums and all common areas) and on behalf of all condominium owners;
- C35. Prior to the initiation of any water, sewer or storm drainage services to the project, the owner(s) and ownership association shall enter into a Utility Service Agreement with the City to receive such utility services at points of service designated by the Department of Utilities. Such agreement shall provide, among other requirements, for payment of all charges for the project's water and storm drainage services, shall authorize discontinuance of utility services at the City's point(s) of service in the event that all or any portion of such charges are not paid when and as required, shall require compliance with all relevant utility billing and maintenance requirements of the City, the Association will

sub-meter in the future if required to do so by any law or regulation, and shall be in a form approved by the City Attorney;

- C36. Residential water taps and meters shall be sized per the City's Building Department on-site plumbing requirements (water taps and meters may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.);
- C37. The existing 8" water main in Q Street may be under the sidewalk, driveway or landscape area of the proposed project. If required by the DOU, the applicant shall relocate the 8" water main to the satisfaction of the DOU;
- C38. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book\_\_\_\_, O.R. Page\_\_\_\_.";
- C39. All onsite water, sewer and storm drain facilities shall be private facilities maintained by the property owners;
- C40. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of any building permit. The impact to the CSS due is estimated to be 149 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$332,198 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS;
- C41. Provide a sewer study to determine if the existing system has enough capacity to handle the increased flow generated by this project. Only sewer flow from the project and the existing land uses needs to be included in the study. If there is no capacity, applicant shall upgrade the existing sewer main to accommodate the project only. The upgrade shall be from the point of deficiency to the nearest trunk line (sewer main 18" or larger). If the City requests that the existing sewer main be upgraded to also accommodate future land uses (built out) for the area, then the City shall be responsible for its fair share cost of such upgrade. The City and applicant shall negotiate in good faith and execute an agreement for the reimbursement of the final fair share cost which shall include fair share costs of all engineering and soft costs, mobilization, trenching and pipe costs. City's fair share costs may be reimbursed or credit given against the combined sewer development fee at the discretion of the City;
- C42. Onsite sewer and drainage mains shall be a separate system;
- C43. City SWMM Model for Sump 31 indicates that at Manhole 304 of Map HH20, the 10 year and 100 year HGL elevations are at 29.38' and 33.41' respectively. The on-site system shall be designed so the 10 year HGL is minimum 6 inches below the onsite drain inlets. Finished floor elevations shall be as approved by the Department of Utilities;
- C44. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the

property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the Department of Utilities. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney;

- C45. An on-site surface drainage system is required and shall be connected to the system in the public right of way. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual);
- C46. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities;
- C47. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction;
- C48. This project is greater than 1 acre. Therefore, the applicant is required to comply with the "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative;
- C49. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include both source controls and on-site treatment control measures. Refer to the latest revision of the "Guidance Manual for On-site Stormwater Quality Design Manual" dated May 2007 for appropriate source control measures and recommended on-site control measures;

## **FIRE**

- C50. All turning radii for fire access shall be designed as 35' inside and 55' outside;
- C51. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more;
- C52. Fire Apparatus access roads shall be designed and maintained to support the imposed

loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3;

- C53. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105;
- C54. A reciprocal ingress egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access;

**SPECIAL DISTRICTS:** Assessment Districts

- C55. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, and Open Space areas. Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Department of Transportation, Planning Department, Parks Planning, Design and Development (PPDD). Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Planning Department (Special Districts and Development Services) and PPDD. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences;

**PPDD:** Parks

- C56. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- C57. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact the Project Manager in the Special Districts Division of the Planning Department). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.

**MISCELLANEOUS**

- C58. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City,



cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City;

- C59. Form an Owner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private Drives(s). The Owner's Association shall maintain all private drives, lights, common landscaping and common areas;

## **ADVISORY NOTES**

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- C60. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

- a Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of final map. The Quimby requirement for this project is estimated at .88 (net) acres, or \$264,000 in in-lieu fee. This is based on 100 multi-family residential units and an average land value of \$250,000 per acre for the East Sacramento Planning Area. When an in-lieu fee is paid, the City adds an additional 20% for off-site park infrastructure improvements. The final fee is calculated using factors at the time of payment.
- b Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$378,883. This is based on 100 multi-family residential units at the standard rate of \$2,868 per unit; 171,815 square feet of commercial space at \$0.34 per square foot; and 71,630 square feet of office space at the rate of \$0.47 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
- c Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation

- C61. The proposed project does not qualify for the reduced Specified Infill rate because the combined commercial square footage for the project is over 20,000 square feet;

- C62. Many projects within the City of Sacramento require booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression and domestic water systems;

- C63. The proposed project is located in the Flood zone designated as an **X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof;

- C64. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the services is being furnished, provided that the fire chief may in

his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provides for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City;

- C65. Developing this property may require the payment of sewer impact fees. Applicant should contact the FEE Quote Desk at 876-6100 for sewer impact fee information;
- C66. The applicant shall coordinate with Regional Transit to ensure that the design of the Bus transfer facilities as shown on the Tentative Map and Site Plans complies with Regional Transit's Plan of the Bus Transfer Facility;
- D-F **Special Permit** to develop a major project of over 40,000 square feet within the General Commercial Transit Overlay (C-2-TO) zone, **Special Permit** to waive required parking; (Applies to Option 1 Only), and **Special Permit** to construct Alternative Ownership Housing (Condominiums) are **approved** subject to the following Conditions of Approval:

## PLANNING

- D-F1. Development of this site shall be in compliance with the conditions of approval on the Tentative Map (P08-068).
- D-F2. The applicant shall obtain all necessary building permits prior to construction.
- D-F3. The project shall substantially conform to the site plan and elevations as shown on Exhibits B through H. Any modification to the project shall be subject to review and approval by the Planning Division prior to the issuance of building permits.
- D-F4. Comply with the Mitigation Monitoring Plan attached as Exhibit A, developed by, and kept on file in the Planning Division, Environmental Services Section. (P08-068).
- D-F5. The applicant shall comply with the City's Housing Trust Fund (Section 17.188 of the Sacramento City Code).
- D-F6. Applicant shall establish a Transportation Management Plan in accordance with City Code section 17.184, subject to review and approval by the planning director and the city traffic engineer.
- D-F7. The project shall include a minimum of 615 parking spaces for Option 1 Alternative and a minimum of 703 parking spaces for Option 2 Alternative. Granting of these Special Permits constitutes the approval of a waiver of 49 required parking spaces for Option 1 alternative. Removal or unavailability of any on site parking spaces approved with this project may result in the need for addition planning entitlements.
- D-F8. The project shall provide a minimum of fifty-five (55) bicycle parking spaces, eighteen (18) of them shall be Class I facility for Option 1 Alternative and a minimum of fifty-nine (59) bicycle parking spaces, eighteen (18) of them shall be Class I Facility for Option 2 Alternative. Bicycle parking shall be located in secure areas located in close proximity to doors and windows.

- D-F9. Of the parking spaces provided, carpool, vanpool, and bicycle parking spaces shall be located closest to the employee entrances to the buildings.
- D-F10. The project shall include minimum of one shower room for men and one shower room for women, which includes a minimum of two shower stalls and lockers for all employees use in the office building.
- D-F11. The applicant shall provide public transportation information to employees by posting information on routes, schedules, and fares in a clearly identified place.
- D-F12. Pedestrian pathways shall be delineated with special paving treatment when located within driveway and parking areas or as shown on the site plan (Exhibit B & C).
- D-F13. The project shall comply with the noise standards set forth on Chapter 17.178.060.
- D-F14. The project shall comply with the open space standards set forth on Chapter 17.178.060. Final plans shall be subject to review and approval by the Planning Director prior to the issuance of building permits.
- D-F15. All landscaping shall be maintained so that ground cover plants and shrubs do not exceed a maximum height of thirty inches (30"); and tree limbs shall be trimmed so that they hang no lower than six feet (6') above grade level.
- D-F16. Detailed landscape and irrigation plans shall be submitted to the Building Division – Site Conditions Unit for review by the Site Conditions Unit and the Landscape Architecture Section for review prior to issuance of building permit. Landscape plans shall indicate quantity, size, and species of each plant and tree. The final landscaping plan will be designed to comply with the City's Water Conservation Ordinance and shall be to the satisfaction of the Planning Director.
- D-F17. The final tree species for the landscape plan for this project site shall be reviewed and approved by Urban Forest Services of the Department of Transportation prior to issuance of building permits.
- D-F18. Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project. Landscaping shall not obscure common areas.
- D-F19. Lighting shall be designed so as not to produce hazardous or annoying glare to motorists and buildings occupants, adjacent residents, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public area.
- D-F20. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space, bicycle parking areas, trash enclosures, and pathways on the perimeter of parking areas between the hours of dusk and one hour after sunrise. Aisles, passageways and recesses related to and within the building complex shall be illuminated with an intensity of a minimum of 0.25 foot-candles of illumination of light as measured at ground level during the same hours. These lighting devices shall be protected by weather and vandal resistant covers.
- D-F21. Lighting fixtures (including especially the mounting poles) shall be colored or painted to

match or compliment the colors used in the building design and shall be subject to the review and approval of the Planning Director.

- D-F22. The height of pole mounted light fixtures shall be no more than 18 feet.
- D-F23. Trash enclosures shall be constructed to match and compliment architectural elements of the building and site design, and shall be substantially conform to the site plan (Exhibit B or C).
- D-F24. Trash enclosures shall meet all requirements of the Sacramento City Code, Chapter 17.72 (Recycling and Solid Waste Disposal Regulations), including (but not limited to) perimeter landscaping, masonry walls, and a solid metal gate. Trash and recycling enclosures shall be provided within 250 feet of each dwelling unit.
- D-F25. Owner/Operator shall arrange its commercial trash pick up service prior to 10:00 a.m. so as not to block the parking lot or parking spaces during retail business hours.
- D-F26. Building facades fronting the streets shall have a minimum of 65% transparency within the first floor level, i.e., glass, open air structures, etc.
- D-F27. Building glass shall not be mirrored reflective glass. The final selection of the building glass shall be reviewed and approved by the Planning Director prior to building permit issuance.
- D-F28. All mechanical equipment (including generators) shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections that are integral to the building design.
- D-F29. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development Engineering of Department of Transportation after consultation with the U.S. Postal Service.
- D-F30. If project becomes an apartment of fifteen (15) or more dwelling units, the project shall have a manager that resides on-site.
- D-F31. Owner/Operator shall conduct periodic inspections, not less than monthly, of the exterior of all buildings, trash enclosures and recreation facilities.
- D-F32. The applicant shall obtain all necessary permits for the construction of the signs, including but not limit to Building Permits, Sign Permits, Revocable Permit, etc. prior to construction or installation of any attached or detached signs.
- D-F33. Construction of all the signs shall substantially conform to the locations illustrated on the Graphic and Signage Plan and Graphics & Signage Elevations (Exhibits G). Any modification to the signs shall be subject to review and approval by the Planning Division prior to the issuance of sign permits. Any modification may result in the need for additional planning entitlements.

- D-F34. The approval of the signs for the project **does not** constitute approval of any sign that is animated by means of flashing, scintillating, blinking or traveling lights or any other means not providing constant illumination. Any modification shall be subject to review and approval of the Planning Division.
- D-F34a The applicant shall have a LEED analysis conducted during the schematic phase of the project to determine what tradeoffs would be necessary for the project to achieve Leed Certification. The study shall be subject to review by the Building Official of the City and the applicant and staff shall report back the outcome to the Planning Commission when the study is complete.**

#### **DOT**

- D-F35. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property per City standards and to the satisfaction of the Department of Transportation;
- D-F36. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P08-068);
- D-F37. Dedicate sufficient right of way and construct full frontage improvements along 65<sup>th</sup> Street to accommodate parking and striped bike lanes. Parking is allowed along 65<sup>th</sup> street in the segment from north of Q Street to the first project driveway (Shuttle access) to the satisfaction of the Department of Transportation;
- D-F38. Dedicate sufficient right of way and construct full frontage improvements along Folsom Boulevard to accommodate the second (west bound to south-bound) left turn lane, parking and striped bike lanes. **(Note: If the 65<sup>th</sup> Street Area Transportation Plan shows the elimination of the dual left requirement, then the applicant does not have to dedicate any additional right-of-way to accommodate the dual left lane).** The dedication along Folsom Boulevard would widen to accommodate a 14-foot right turn for a distance of 200-feet west of 67<sup>th</sup> Street for the future signal at Folsom Boulevard and 67<sup>th</sup> Street. The final design of the intersection shall show all appropriate transitions and lane configurations consistent with the Signal Design Concept Report and to the satisfaction of the Department of Transportation. The dedication and construction of improvements along Folsom Boulevard shall be to the satisfaction of the Department of Transportation. Parking within the right turn lane shall be restricted to off peak hours only. The applicant shall provide for all signage and markings to accommodate this restriction;
- D-F39. The applicant shall dedicate sufficient right-of-way and construct full frontage improvements along Q Street with no on-street parking. At the intersection of Q Street and 65<sup>th</sup> Street, the applicant shall dedicate sufficient right of way to provide for an expanded intersection. The expanded intersection shall have a 12-foot exclusive right turn lane, a 12-foot left turn lane, a 10-foot center turn lane, and 12-foot through lane

(east bound) and a 21-foot Regional Transit Bus Parking. This shall also include an additional 3-feet of dedication to accommodate two raised curbs for the left turn pocket (1-foot and 2-foot raised curbs). Within the two foot raised curb, the applicant shall construct a decorative fence to eliminate any mid-block crossings at that location. The dedication and construction of improvements along Q Street shall be to the satisfaction of the Department of Transportation;

- D-F40. Dedicate sufficient right-of-way and construct full frontage improvements along 67<sup>th</sup> Street. The segment of 67<sup>th</sup> Street (Outside the expanded intersection) shall consist of two 11-foot traffic lanes and 11-foot bus parking on both sides of 67<sup>th</sup> Street. At the expanded intersection (at Folsom Boulevard), 67<sup>th</sup> Street shall have an exclusive right-turn lane, an exclusive left turn lane, and a 14-foot travel lane (Southbound) to accommodate bus turning. The dedication and construction of improvements along 67<sup>th</sup> Street shall be to the satisfaction of the Department of Transportation. No bulb-outs shall be constructed at this intersection as proposed, and No bulb-outs shall be constructed at the intersection of Q Street and 67<sup>th</sup> Street intersection;
- D-F41. The applicant shall construct a left turn pocket for the proposed driveway along Q Street. The proposed driveway shall function as a **right-in/right-out and left in** only driveway. The left-in movements shall be restricted to off peak hours determined by the City Traffic Engineer and the Department of Transportation. To accommodate the restriction of movements (At peak hours), the applicant shall construct a gate (or any other mechanism acceptable to the DOT) within the left turn pocket at a location acceptable to the Department of Transportation. The project's Owners Association shall be responsible for the maintenance of any restrictive device at this driveway. The applicant shall also be responsible for all markings and required signage at this driveway;
- D-F42. The applicant shall enter into an agreement with the City to provide for a design of the Q Street driveway including all monitoring equipment, a Monitoring Management Plan and Implementation Plan. The applicant shall also pay for monitoring of the proposed driveway along Q Street including the cost of installing any required cameras and/or staff costs to ensure compliance with the conditions of approval and safety at the proposed Q Street driveway. In the case, after monitoring, the City Traffic Engineer found that the driveway has operational and safety issues, the applicant or Owner's Association are responsible for removing the left turn pocket, any monitoring equipment, any restrictive devices and any signage and markings from this driveway location to the satisfaction of the Department of Transportation (all provisions within this condition shall be included in the Agreement);
- D-F43. Form an Owner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private Drives(s). The Owner's Association shall maintain all private drives, lights, common landscaping and common areas;
- D-F44. All loading and unloading activities shall occur outside the traffic peak hours for the entire project site;
- D-F45. The applicant shall construct the proposed shuttle turn around along 65<sup>th</sup> street in a manner that accommodates the shuttles turn around without backing onto 65<sup>th</sup> street to the satisfaction of the Department of Transportation;

- D-F46. All new driveways shall be designed and constructed to City Standards and to the satisfaction of the Department of Transportation;
- D-F47. This project shall require street lighting. There is an existing street lighting system around this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction;
- D-F48. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Transportation;
- D-F49. Construct traffic signals at the following intersections when required by the Department of Transportation (if not already in place):
- c. Folsom Boulevard and 67th Street
  - d. Q Street and 67th Street

NOTE: The Department of Transportation shall determine the need for signals, based on CalTrans signal warrants and known pending development projects prior to the Issuance of any building permit. If required, signals shall be constructed as part of the public improvements for the Parcel Map. Signal design and construction shall be to the satisfaction of the Department of Transportation and may be subject to reimbursement. **The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities, related appurtenances, and appropriate bike detection.** The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services.

- D-F50. The applicant shall submit a signal design concept report (SCDR) per section 15.18 of the Cities Design and Procedures Manual to the Department of Transportation for review and approval prior to the submittal of any improvement plans involving traffic signal work. The SCDR provides crucial geometric information for signal design and should be started as early as possible to avoid delays during the plan check process;
- D-F51. The applicant shall construct a raised median along 65th Street on the segment south of the light rail tracks and north of the west bound Off ramp (as an extension of the existing median). The raised median shall be directly across the existing driveway of the Jackson property and shall be per City standards and to the satisfaction of the Department of Transportation and shall meet the CPUC requirements (General Order 88-B);
- D-F52. The applicant shall Participate in the 65<sup>th</sup> Street/University Transit Village Finance Plan and pay all necessary fees to the satisfaction of The Planning Department;
- D-F53. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Transportation. The center lines of such streets shall be aligned;

- D-F54. Construct A.D.A. compliant ramps (if Non-compliant) along the frontage of this project site at the following intersections and to the satisfaction of the Department of Transportation:
- a Folsom Boulevard and 65<sup>th</sup> Street
  - b Folsom Boulevard and 67<sup>th</sup> Street
  - c Q Street and 65<sup>th</sup> Street
  - d Q Street and 67<sup>th</sup> Street
- D-F55. The applicant shall make provisions for bus stops, shelters, etc. to the satisfaction of Regional Transit;

### **CITY UTILITIES**

- D-F56. If the finance plan or equivalent funding mechanism is not established prior to the final map, the applicant is required to enter into an agreement assuring payment of its fair share, to the satisfaction of the Department of Utilities and the City Attorney.
- D-F57. Per City Code 13.04.070 and the Department current Tap Policy, commercial lots may have more than one domestic tap. Any new domestic water services shall be metered. Construction of water services shall be deferred until the time of Building Permit. The point of service shall be at the public right of way.
- D-F58. The clubhouse and pool area may have a separate tap from the public distribution system for a metered domestic water service.
- D-F59. Per City Code, the point of service for water and storm drain service is located at the back of curb for separated sidewalks or at the back of sidewalk for attached sidewalks. The onsite water and storm drain systems shall be private systems maintained by the condominium association.
- D-F60. Multiple fire services are allowed per parcel and may be required.
- D-F61. Common area landscaping shall have a minimum of one (1) separate tap from the public distribution system for a metered irrigation service.
- D-F62. An ownership association shall be formed and C.C. & R's shall be approved by the City and recorded prior to the initiation of any City utility services to the project. The onsite water, sewer and storm drain systems shall be private facilities maintained by the owners' association formed pursuant to the provisions of sections 1350 et seq. of the California Civil Code (the Davis-Stirling Common Interest Development Act). The CC&Rs recorded for the project (as "governing documents" defined in Civil Code section 1351(j)), shall authorize and require the owners' association to maintain these facilities and to obtain and pay for water, sewer and storm drain service for the project (including the condominiums and all common areas) and on behalf of all condominium owners.
- D-F63. Prior to the initiation of any water, sewer or storm drainage services to the project, the owner(s) and ownership association shall enter into a Utility Service Agreement with



the City to receive such utility services at points of service designated by the Department of Utilities. Such agreement shall provide, among other requirements, for payment of all charges for the project's water and storm drainage services, shall authorize discontinuance of utility services at the City's point(s) of service in the event that all or any portion of such charges are not paid when and as required, shall require compliance with all relevant utility billing and maintenance requirements of the City, the Association will sub-meter in the future if required to do so by any law or regulation, and shall be in a form approved by the City Attorney.

- D-F64. Residential water taps and meters shall be sized per the City's Building Department on-site plumbing requirements (water taps and meters may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.).
- D-F65. The existing 8" water main in Q Street may be under the sidewalk, driveway or landscape area of the proposed project. If required by the DOU, the applicant shall relocate the 8" water main to the satisfaction of the DOU.
- D-F66. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, requiring that private easements be granted, as needed, for drainage, water and sanitary sewer at no cost at the time of sale or other conveyance of any lot. A note stating the following shall be placed on the Final Map: "The lots created by this map shall be developed in accordance with recorded agreement for conveyance of easements in Book\_\_\_\_, O.R. Page\_\_\_\_."
- D-F67. All onsite water, sewer and storm drain facilities shall be private facilities maintained by the property owners.
- D-F68. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of any building permit. The impact to the CSS due is estimated to be 149 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$332,198 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.
- D-F69. Provide a sewer study to determine if the existing system has enough capacity to handle the increased flow generated by this project. Only sewer flow from the project and the existing land uses needs to be included in the study. If there is no capacity, applicant shall upgrade the existing sewer main to accommodate the project only. The upgrade shall be from the point of deficiency to the nearest trunk line (sewer main 18" or larger). If the City requests that the existing sewer main be upgraded to also accommodate future land uses (built out) for the area, then the City shall be responsible for its fair share cost of such upgrade. The City and applicant shall negotiate in good faith and execute an agreement for the reimbursement of the final fair share cost which shall include fair share costs of all engineering and soft costs, mobilization, trenching and pipe costs. City's fair share costs may be reimbursed or credit given against the combined sewer development fee at the discretion of the City.
- D-F70. Onsite sewer and drainage mains shall be a separate system.

- D-F71. City SWMM Model for Sump 31 indicates that at Manhole 304 of Map HH20, the 10 year and 100 year HGL elevations are at 29.38' and 33.41' respectively. The on-site system shall be designed so the 10 year HGL is minimum 6 inches below the onsite drain inlets. Finished floor elevations shall be as approved by the Department of Utilities.
- D-F72. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the Department of Utilities. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.
- D-F73. An on-site surface drainage system is required and shall be connected to the system in the public right of way. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).
- D-F74. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- D-F75. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction.
- D-F76. This project is greater than 1 acre. Therefore, the applicant is required to comply with the "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- D-F77. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include both source controls and on-site treatment control measures. Refer to the latest revision of the "Guidance Manual for On-site Stormwater Quality Design Manual" dated May 2007 for appropriate source

control measures and recommended on-site control measures.

#### **CITY ARBORIST**

- D-F78. The applicant will be responsible to provide an arborist report for the site.
- D-F79. Within the report the applicant will identify trees by species, size, and conditions of health.
- D-F80. The applicant shall provide a detailed map identifying trees which will be preserved and removed from site.
- D-F81. The applicant shall provide a detailed map illustrating landscape plans. Tree planting will be detailed and identifiers will be unique to each species.
- D-F82. The applicant will be responsible to identify planting numbers, tree size at planting, and positions in the landscape plan.
- D-F83. The applicant shall work with the City Arborist and City Landscape Architect for planter design and Tree Species Selection prior to obtain building permits.

#### **ADVISORY NOTES**

- D-F84. Many projects within the City of Sacramento require booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression and domestic water systems.
- D-F85. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.
- D-F86. City Code 13.04.570 requires that no fire service shall be installed across any parcel other than the parcel to which the services is being furnished, provided that the fire chief may in his or her discretion, authorize a fire service line that serves more than one parcel, upon the recording of an agreement, in a form approved by the City, that fully provides for the operation, maintenance and repair of the line, and grants a permanent easement for these purposes, at no cost or liability to the City.
- D-F87. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- D-F88. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- D-F89. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by

an unobstructed route around the exterior of the building. (CFC 503.1.1) This applies to the open court area that's located in the center of the project.

- D-F90. Provide appropriate Knox access for site.
- D-F91. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
- D-F92. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet. Parking structure shall also be provided with sprinklers and standpipes.
- D-F93. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
- D-F94. An approved fire control (riser) room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8
- D-F95. Final map shall be recorded prior to issuance of permit.
- D-F96. Building height & building areas shall comply with 2007CBC Table 503.
- D-F97. Mixed use & occupancy separation requirements shall comply with 2007 CBC Table 508.3.3.
- D-F98. Fire-resistance rating requirements for building elements, & fire-resistance rating requirements for exterior walls based on fire separation distance ( set back distance from property line to exterior wall of a building ) shall comply with 2007 CBC Tables 601, & 602, respectively.
- D-F99. Unless otherwise conditioned, the project shall be in compliance with all applicable development standards contained in City Code, Title 17.
- D-F100. Consistent with Sacramento Metropolitan Air Quality Management District Rule 417, installation of wood burning appliances shall be prohibited.
- G-H Variance** to exceed the height limit in General Commercial Transit Overlay (C-2-TO) zone and **Variance** to reduce the setback requirement for a building taller than 28 feet in General Commercial Transit Overlay (C-2-TO) zone are **approved** subject to the following Conditions of Approval:
  - G-H1. Development of this site shall be in compliance with the conditions of approval on the Tentative Map and Special Permits (P08-068).
- I. Special Permit** to establish three (3) neighborhood identification signs is **approved** subject to the following Conditions of Approval:

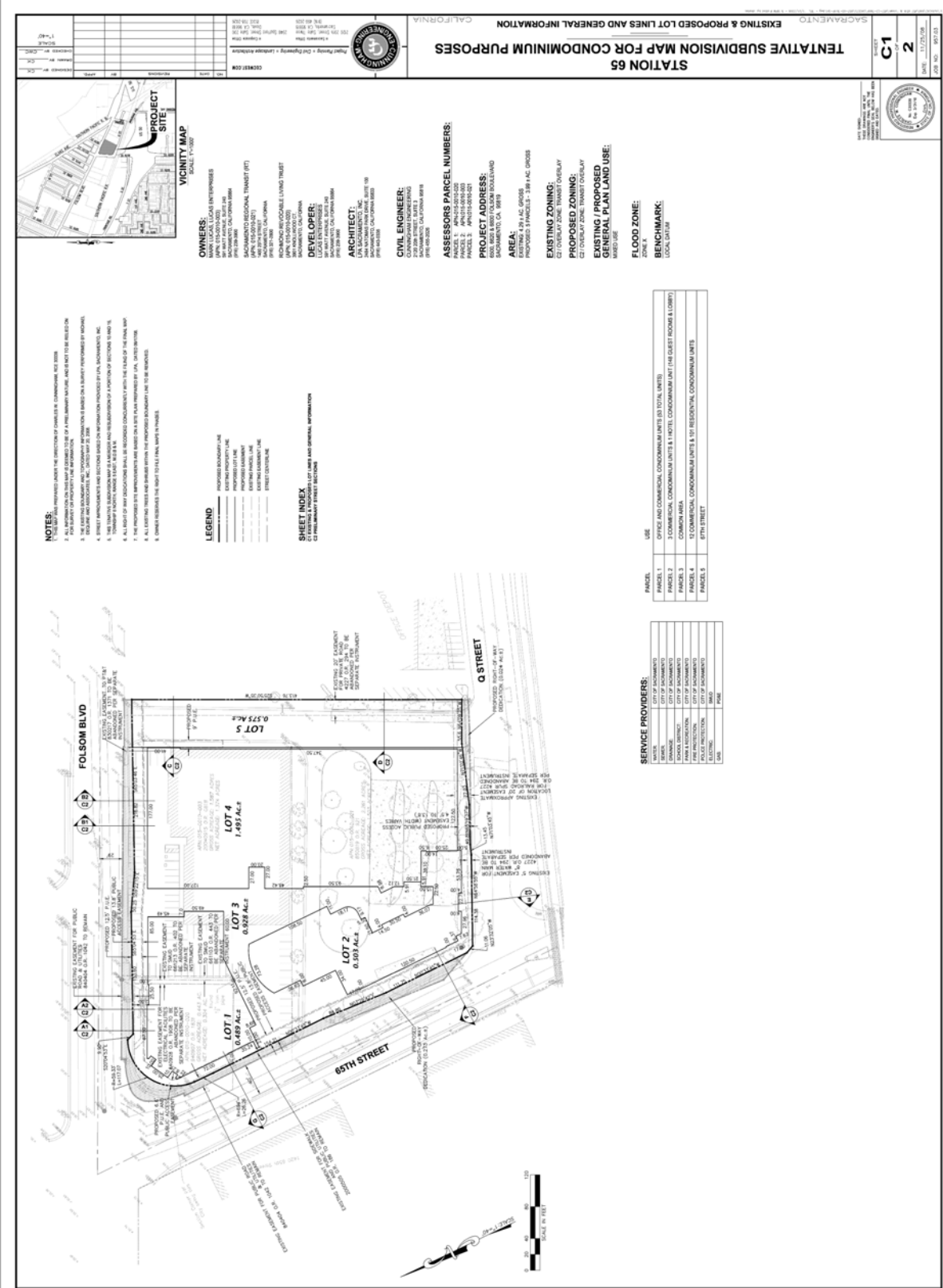
- I1. The approval of this Special Permit constitutes the allowance of three (3) neighborhood identification signs for the Station 65 project, subject to conditions. They are identified on Exhibit G as signs C1, C2, and F2.
- I2. The applicant shall obtain all necessary permits for the construction of the signs, including but not limit to Building Permits, Sign Permits, Revocable Permit, etc.
- I3. Construction of all the signs shall substantially conform to the locations illustrated on the Graphic and Signage Plan and Graphics & Signage Elevations (Exhibits H). Any modification to the signs shall be subject to review and approval by the Planning Division prior to the issuance of sign permits. Any modification may result in the need for addition planning entitlements.
- I4. The design of the Sign C1 and C2 shall substantially conform to the Graphics & Signage Elevations & Schedule (Exhibits H). The total area of each identification sign shall not exceed 1,000 square feet and the width shall not exceed 20 feet.
- I5. The maximum height for the neighborhood identification sign (C1 & C2) shall not to exceed 112 feet and F2 shall not exceed 4 feet in height.
- I6. The maximum area for a major tenant ID on the Neighborhood Identification signs shall not to exceed 44 square feet and a minor tenant ID shall not to exceed 36 square feet. The letter height shall not exceed 2.5 feet.
- I7. The design of the Sign F2 shall substantially conform to the Graphics & Signage Elevations & Schedule (Exhibits H). The letter height shall not exceed 1.5 feet and the maximum area shall not exceed 240 square feet.
- J-L Variance** to exceed the allowed attached sign area in the General Commercial Transit Overlay (C-2-TO) zone within 660' of a freeway, **Variance** to exceed the 20' sign placement height limit within 660' of a freeway, and **Variance** to allow additional attached signs for major tenants are **approved** subject to the following Conditions of Approval:
  - J-L 1. The applicant shall obtain all necessary permits for the construction of the signs, including but not limit to Building Permits, Sign Permits, Revocable Permit, etc.
  - J-L 2. **The location and lighting, including intensity, hours, and methods of illumination, of the Project Graphic Signs (A1 & A2 signs) shall be subject to review and approval by the City Urban Design staff.** Construction of all other signs shall substantially conform to the locations illustrated on the Graphic & Signage Plan and Graphics & Signage Elevations (Exhibits H). Any modification to the signs shall be subject to review and approval by the Planning Division prior to the issuance of sign permits. Any modification may result in the need for addition planning entitlements.
  - J-L 3. The design of the project graphics signs shall substantially conform to the A1 and A2 signs illustrated on Graphic & Signage Elevations & Schedules sheets. (Exhibit H)
  - J-L 4. The proposed project graphics signs (A1 & A2 signs) are approved for major tenants only. A Major tenant is defined as a tenant with a total leasing area of 10,000 square feet or above or a restaurant tenant that is 5,000 square feet or above.

- J-L 5. The total quantity of the project graphic signs (A1 & A2 signs) shall not be more than seven (7) signs. Each sign shall not exceed 700 square feet and the total aggregate sign area of all seven (7) signs shall not exceed 4,500 square feet. **One Project Graphic Sign shall be dedicated to art at the discretion of the project applicant in consultation with Urban Design Staff.**
- J-L 6. Each major tenant shall not have more than two (2) attached signs per streetscape. This restriction applies to Graphics Display signs (A1 & A2), Major Tenant signs and/or Blade Signs (E1 & E2).
- J-L 7. The design of major tenant signs shall substantially conform to the E1 and E2 signs illustrated on Graphic & Signage Elevations & Schedules sheets. (Exhibit H)
- J-L 8. The maximum high for the letter of the Major Tenant signs (E1) shall not exceed 2.5 feet and the length shall not exceed 80% of the width of the occupancy space. The maximum area of the sign (E1) shall not exceed 150 square feet.
- J-L 9. The maximum width for the letter of the Major Tenant Blade signs (E2) shall not exceed 2.5 feet and the maximum area of the sign (E2) shall not exceed 140 square feet.
- J-L 10. Each major tenant shall be allowed signage consistent with the requirements of City Code Section 15.148. Additionally, each major tenant shall be allowed two additional of secondary signs (D2) for secondary function/purpose. The design of these major tenant secondary signs shall substantially conform to the D2 sign illustrated on Graphic & Signage Elevations & Schedules sheets. (Exhibit H)
- J-L 11. Each minor tenant of the project shall not have more than two (2) attached signs. These two (2) signs shall be D1 and/or D3 signs. The design of these retail tenant signs shall substantially conform to the D1 and D3 signs illustrated on Graphic & Signage Elevations & Schedules sheets. (Exhibit H)
- J-L 12. The maximum height for the letter of the retail tenant sign (D1) shall not exceed 1.5 feet and the length shall not to exceed 80% of the width of the occupancy space. The maximum area of the sign the maximum area of the sign (D1) shall not exceed 50 square feet.
- J-L 13. The maximum height for the letter of the retail tenant sign (D3) shall not exceed 1 foot and the maximum area of the sign (D3) shall not exceed 9 square feet.
- J-L 14. The project shall be allowed to construct a maximum of four (4) pole mounted bladed sign banners (F1). The design of these retail tenant signs shall be substantially conform to the F1 sign illustration on Graphic & Signage Elevations & Schedules sheets. (Exhibit H) The maximum high of the pole shall not exceed eighteen (18) feet. The maximum width of the banner shall not exceed two (2) feet and the maximum high of the banner shall not exceed 8 feet. The banner shall be placed nine (9) feet or more above finish grade. The maximum banner area shall not exceed 16 square feet.
- J-L 15. The graphic sign for parking (B1) shall be substantially conform to the E1 sign illustrated on Graphic & Signage Elevations & Schedules sheets. (Exhibit H) The height of the letter and logo shall not to exceed 3 feet and the maximum area of the

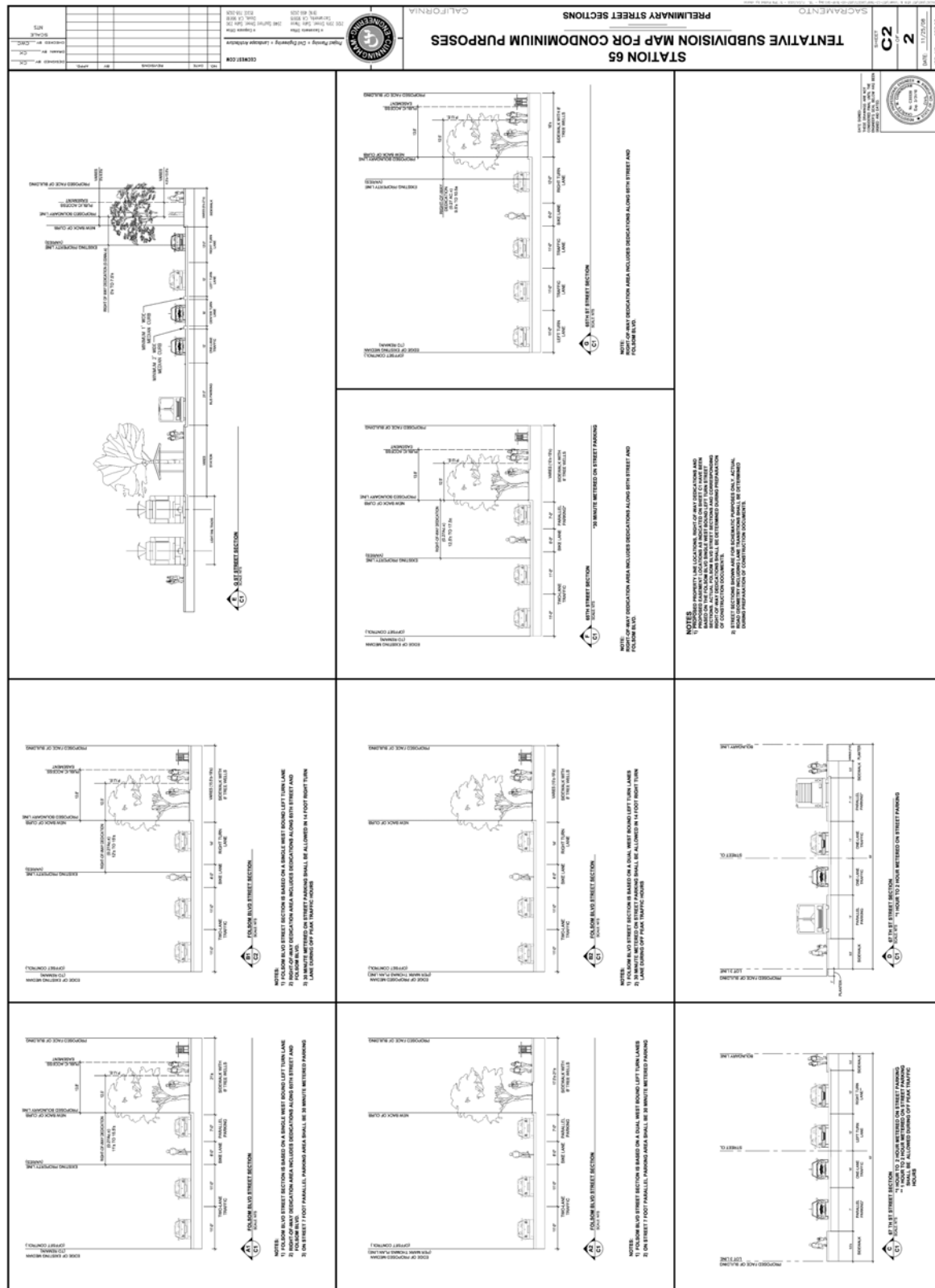
sign shall not to exceed 80 square feet.

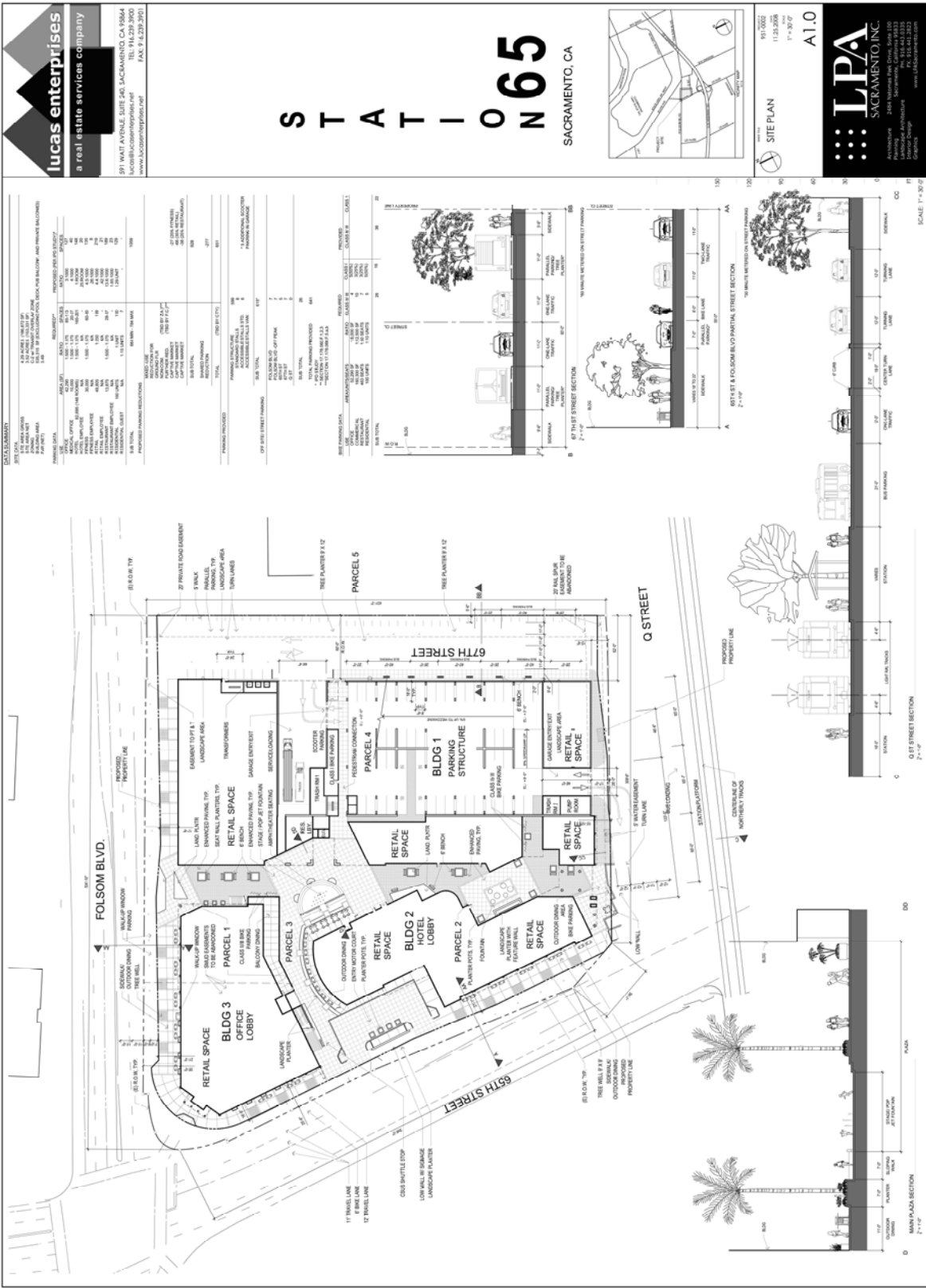
- J-L 16. Unless otherwise conditioned, all signs shall be in compliance with all applicable sign code requirement contained in City Code section 15.148.

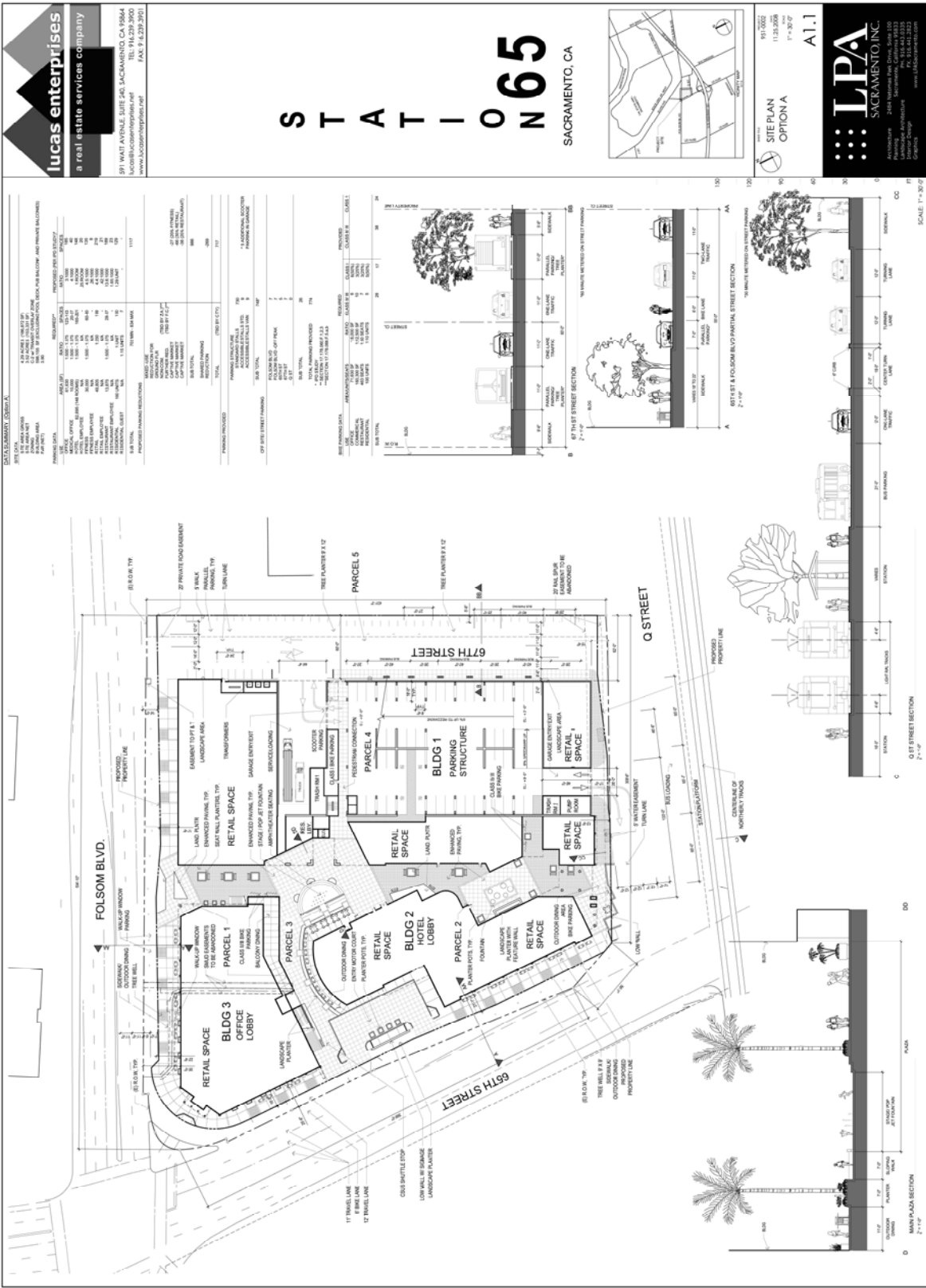
Attached: Exhibits A-I













**STATION 65**  
SACRAMENTO, CA

**Building 1**  
EL: +10'-0"  
6% UP TO SECOND FLOOR  
8% SPEEDRAMP UP  
EL: +13'-4"  
EL: +10'-0"  
RETAIL BELOW  
LOBBY  
STAIRS  
OPEN TO BELOW  
TRASH BELOW  
RETAIL BELOW

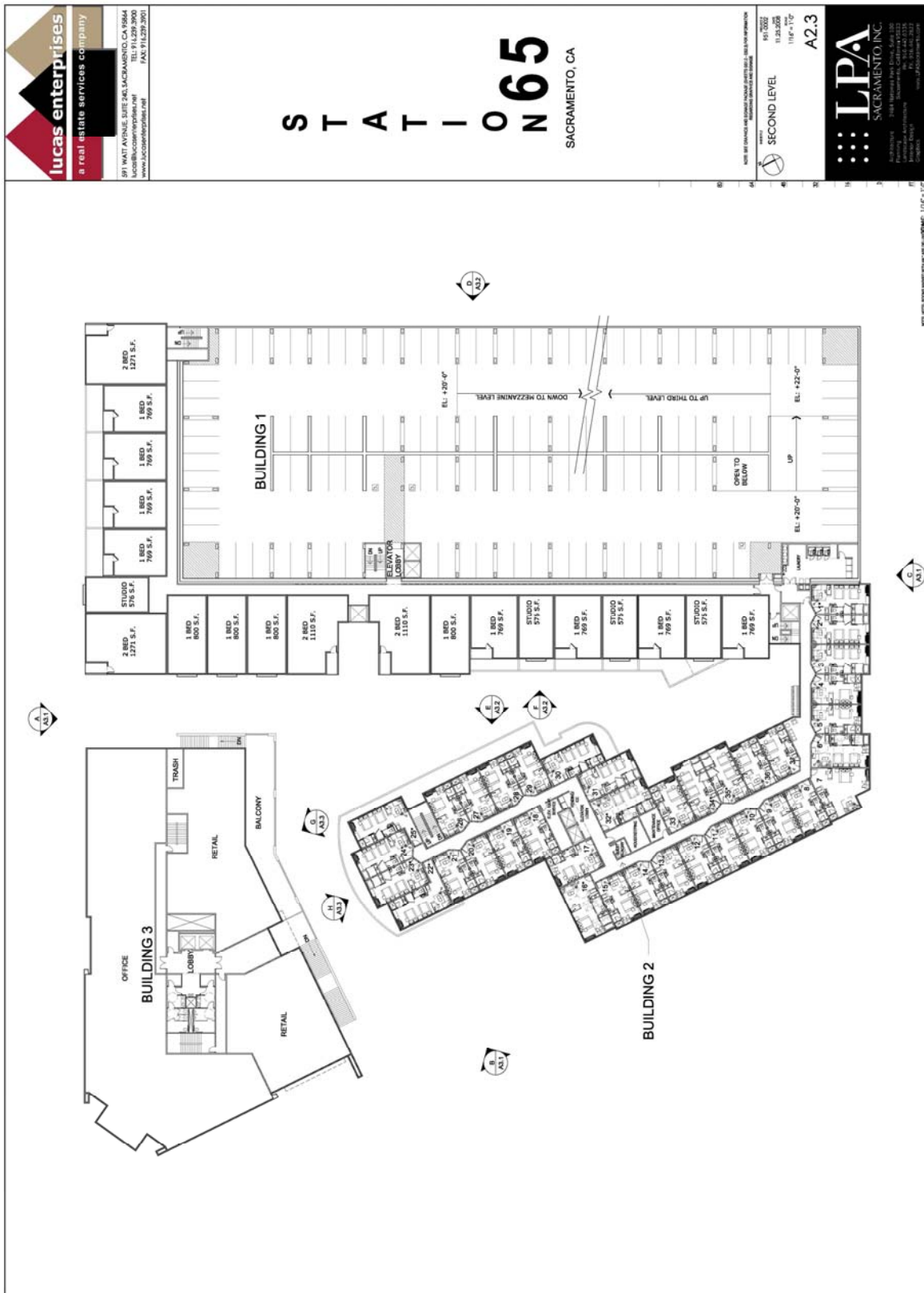
**Lucas enterprises**  
a real estate services company

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www.lucasenterprises.com  
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**LPA**  
SACRAMENTO, INC.  
1000 J STREET, SUITE 100  
SACRAMENTO, CA 95811  
Tel: 916.444.2111  
Fax: 916.444.2112  
www.lpasacramento.com

DATE: 11/24/2024  
PROJECT: 11/24/2024  
SHEET: A2.2 OF A2.1  
SCALE: 1/8" = 1'-0"

## Exhibit D: Floor Plan (Both Options)



## Exhibit D: Floor Plan (Both Options)

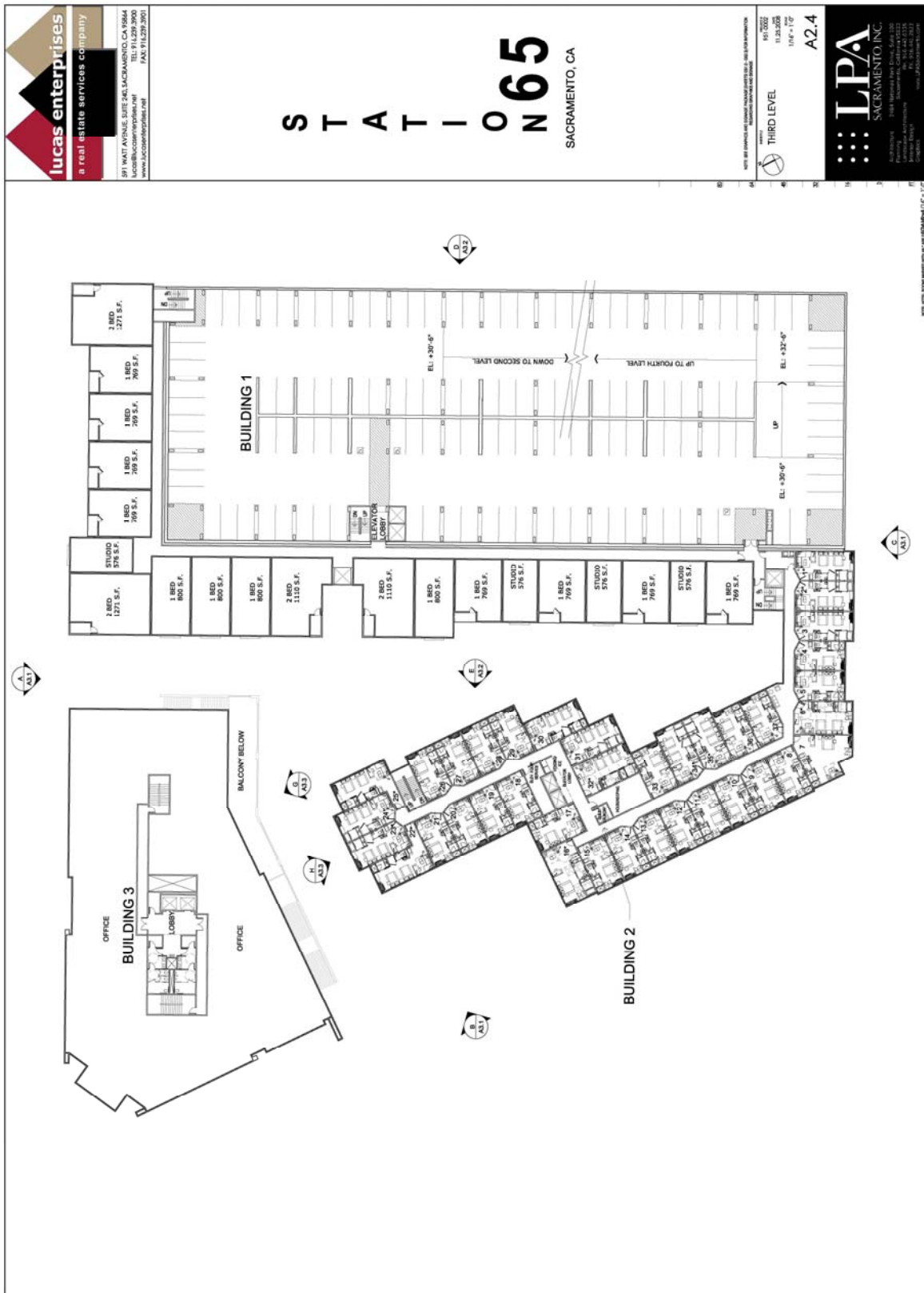




Exhibit D: Floor Plan (Both Options)

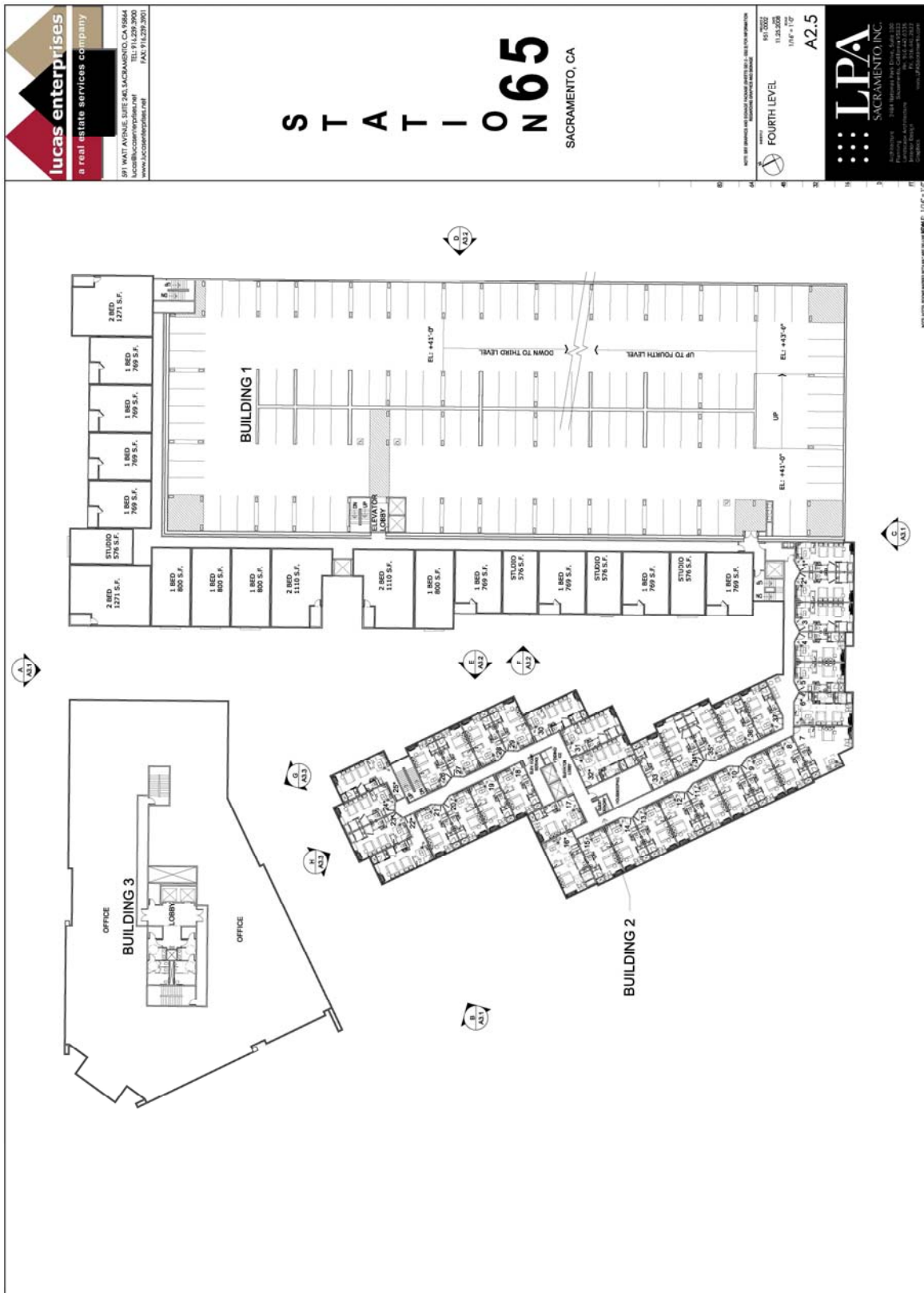




Exhibit D: Floor Plan (Both Options)

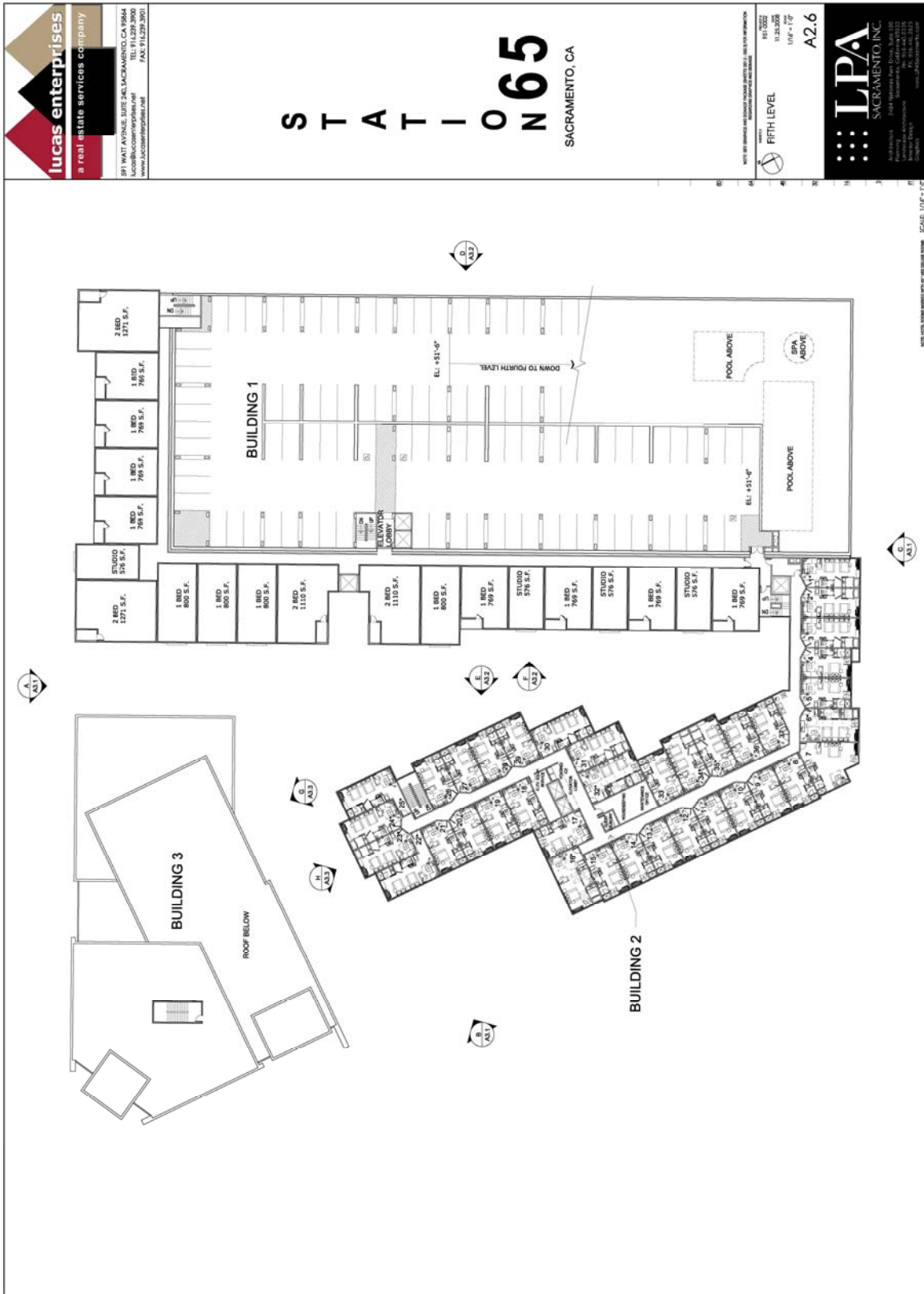


Exhibit D: Floor Plan (Both Options)

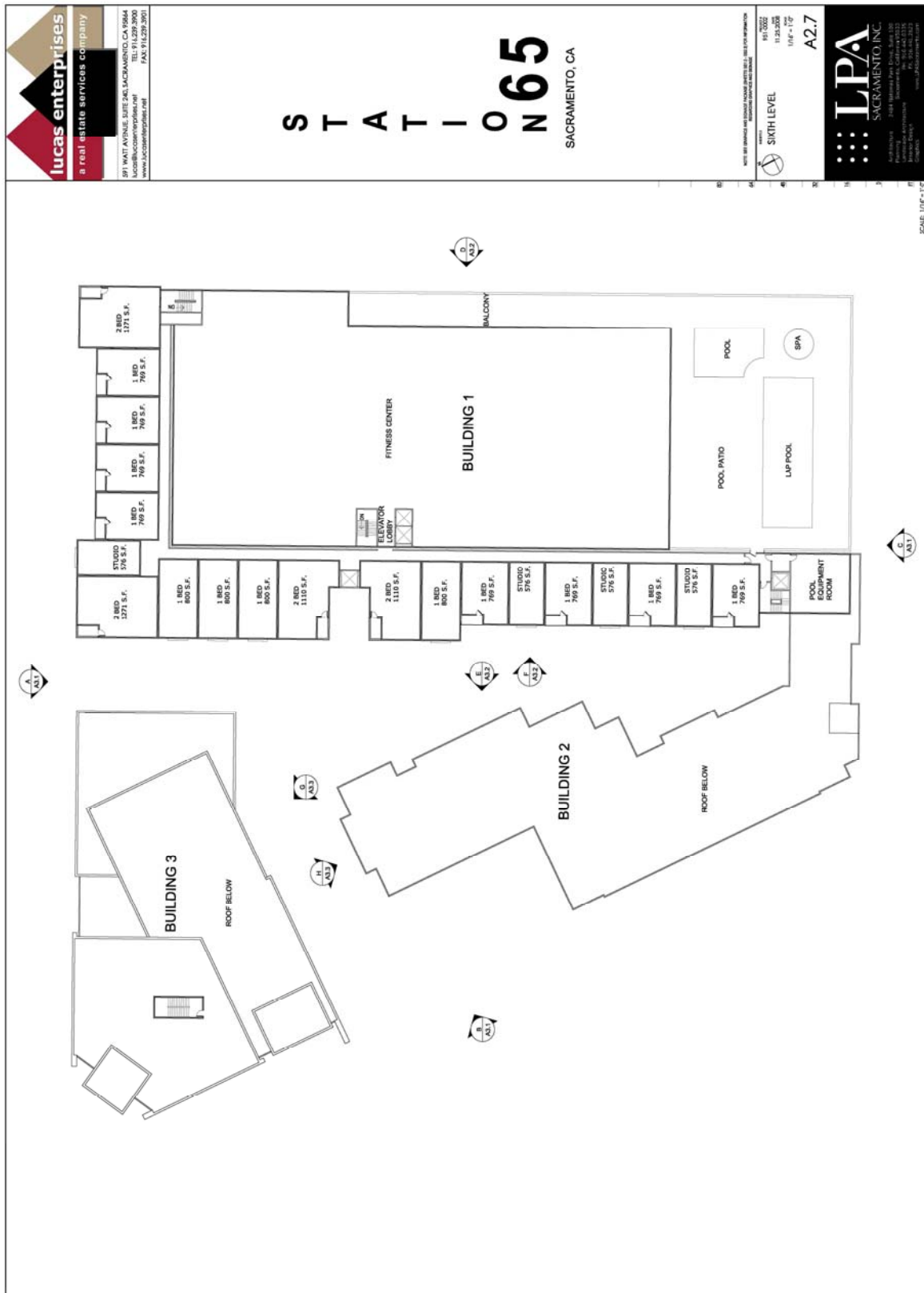


Exhibit E: Floor Plan (Option 2)

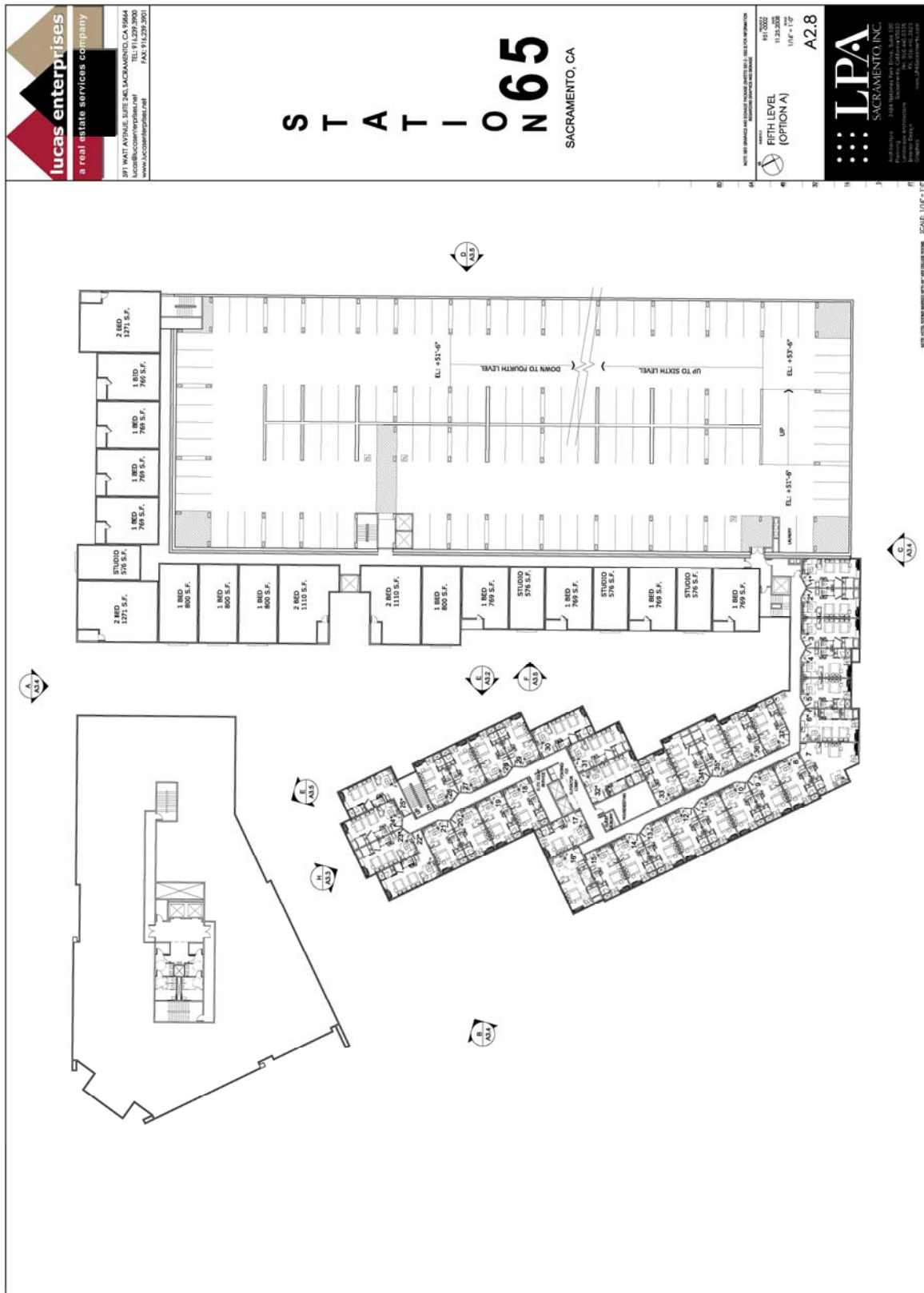


Exhibit E: Floor Plan (Option 2)

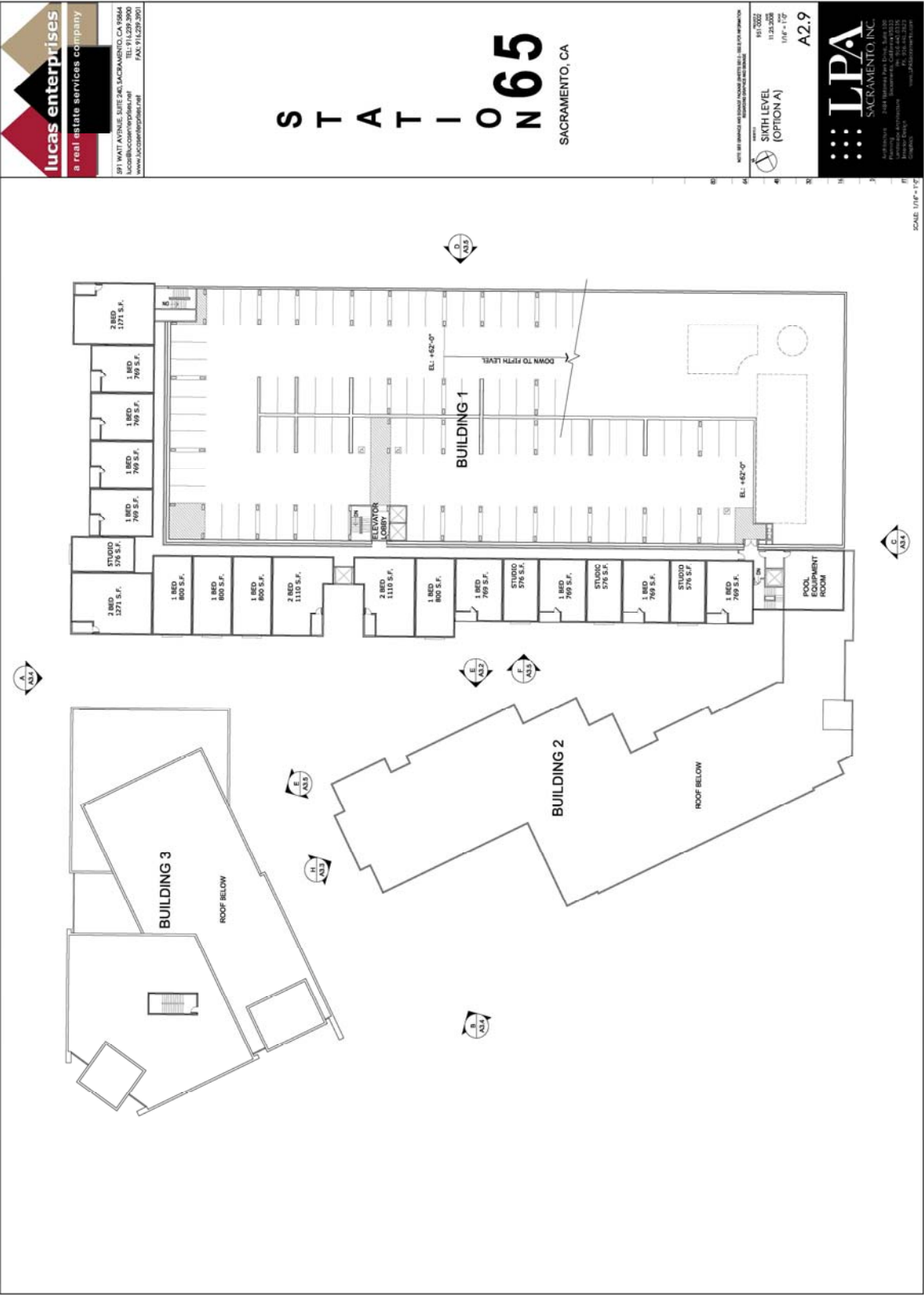


Exhibit E: Floor Plan (Option 2)

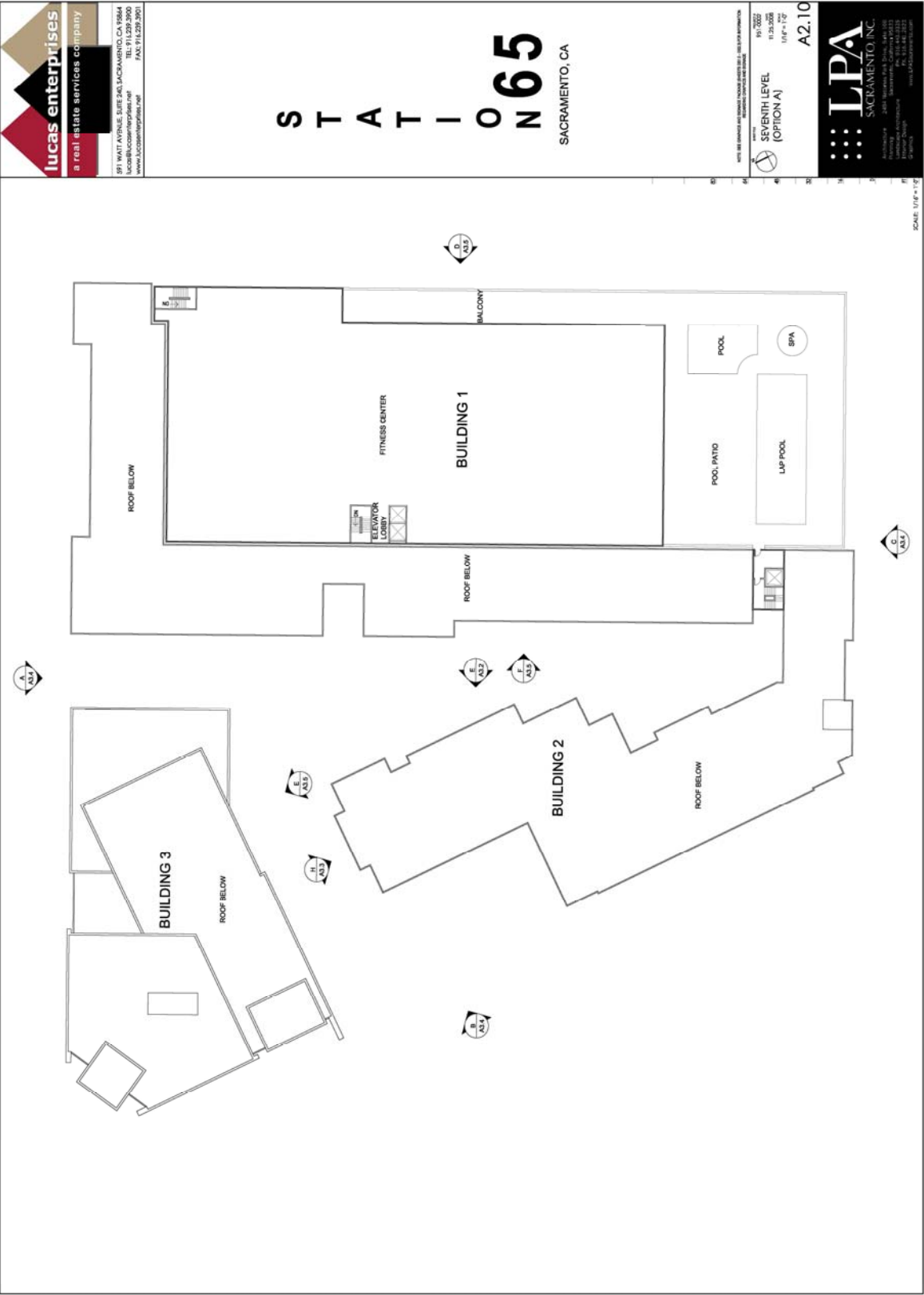
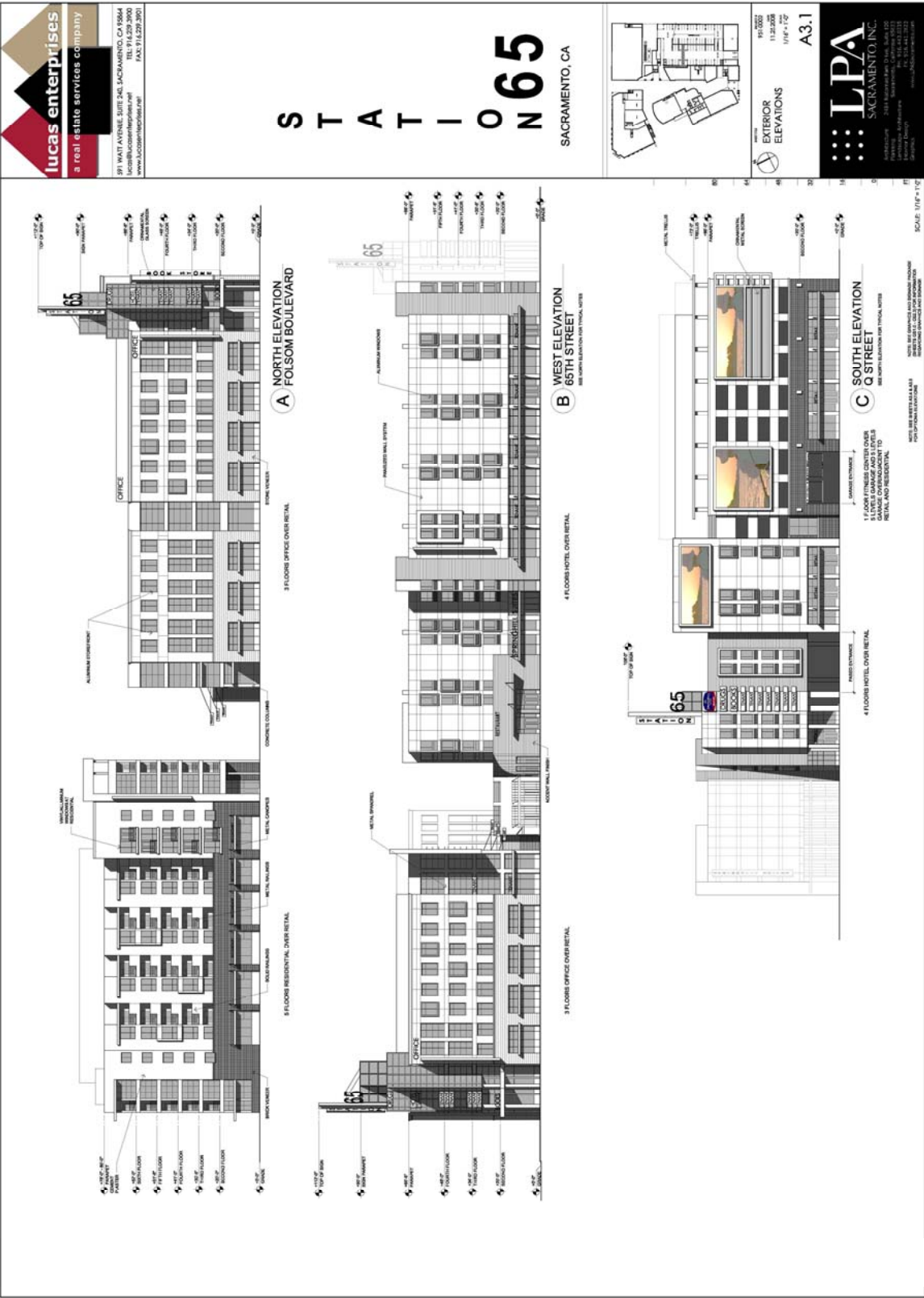
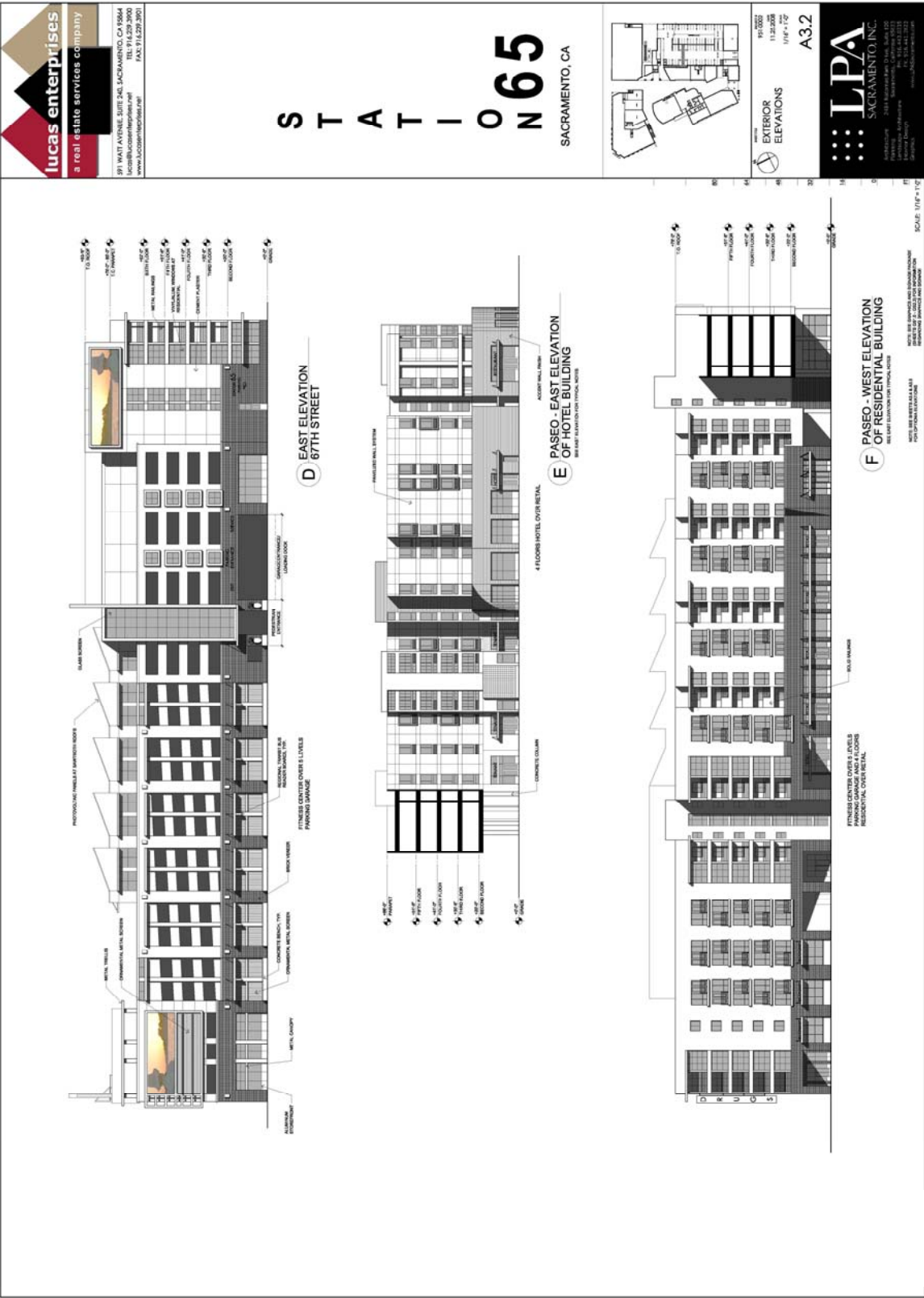
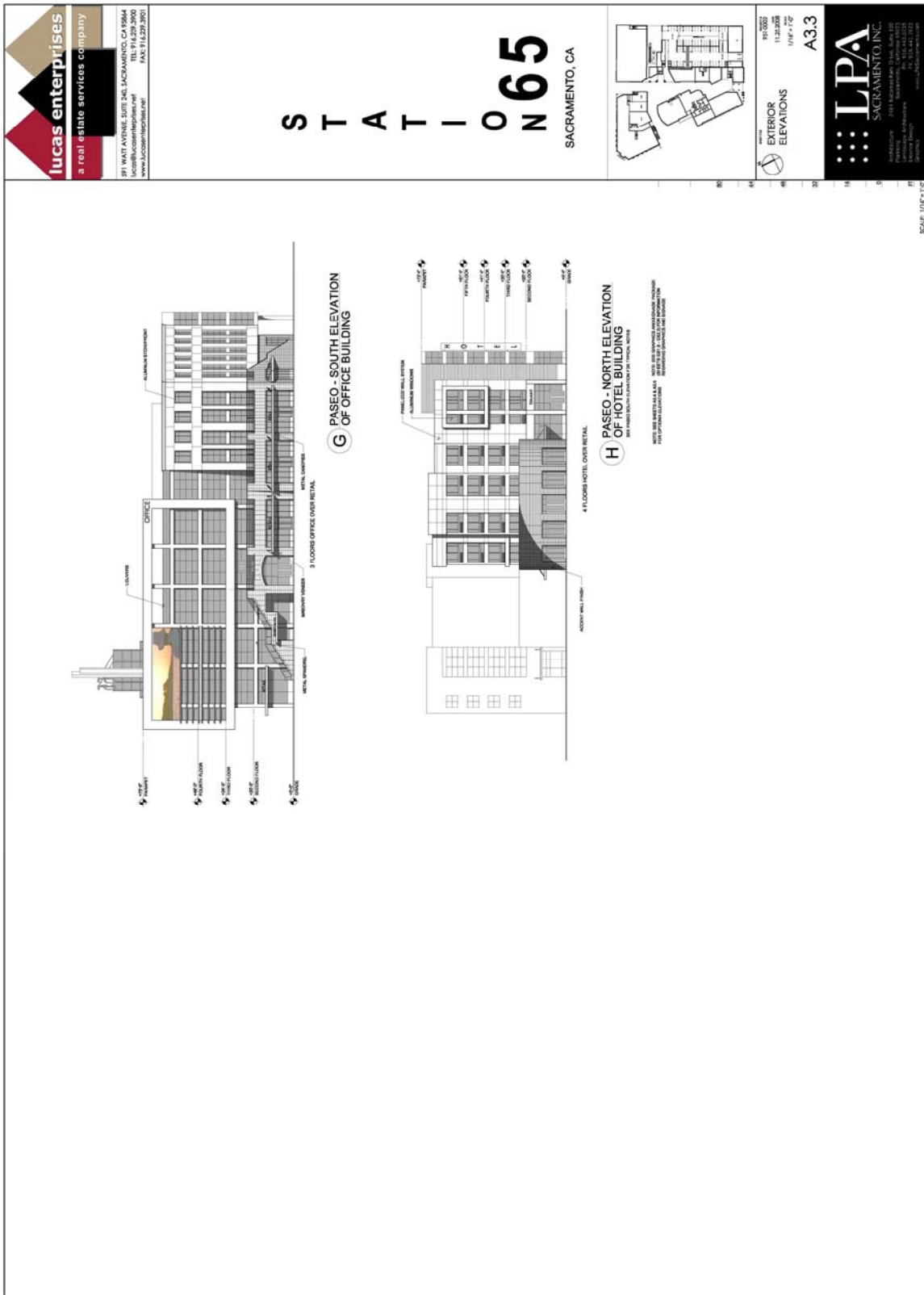


Exhibit F: Elevations (Option 1)











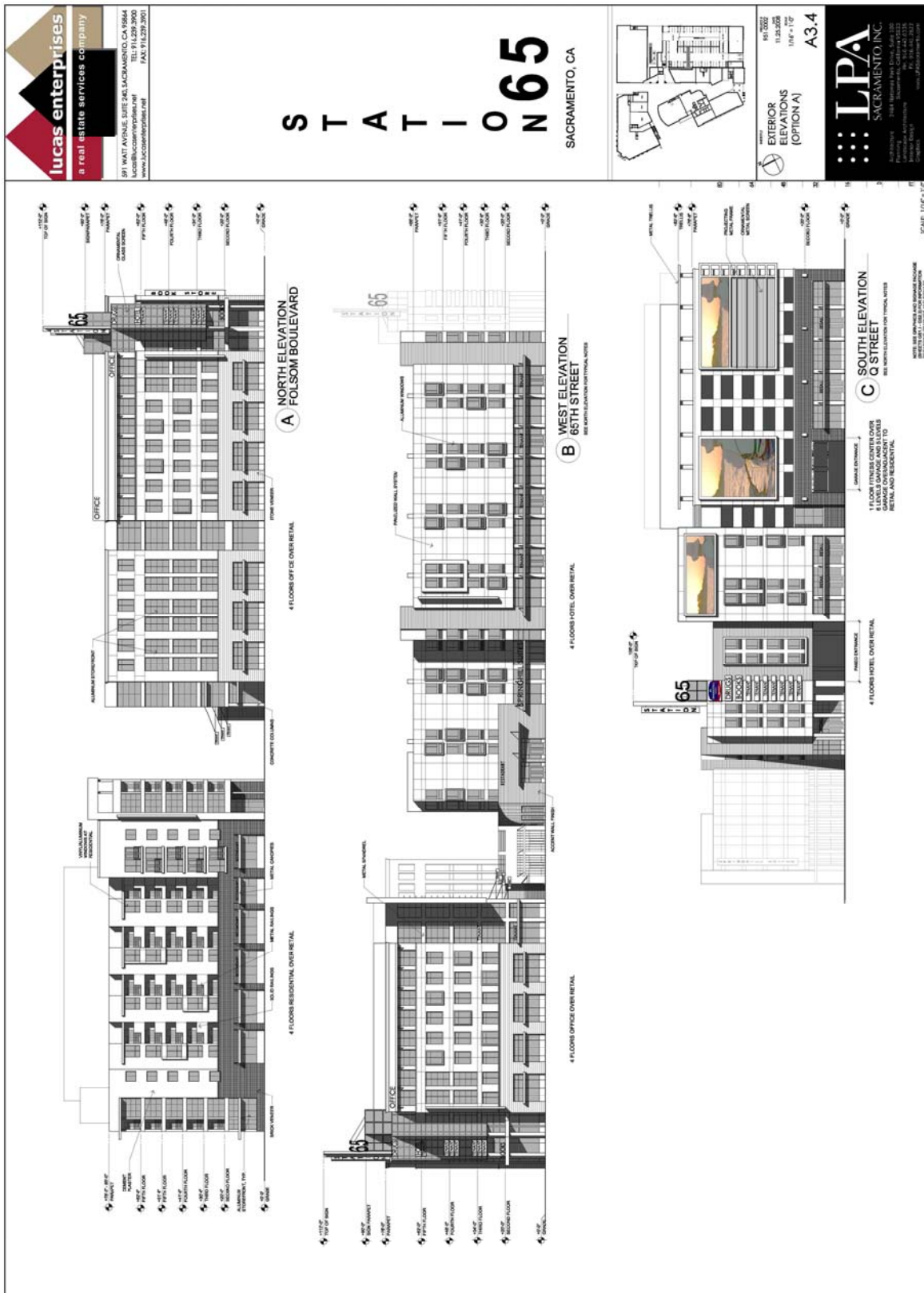






Exhibit H: Graphic & Signage (Both Options)

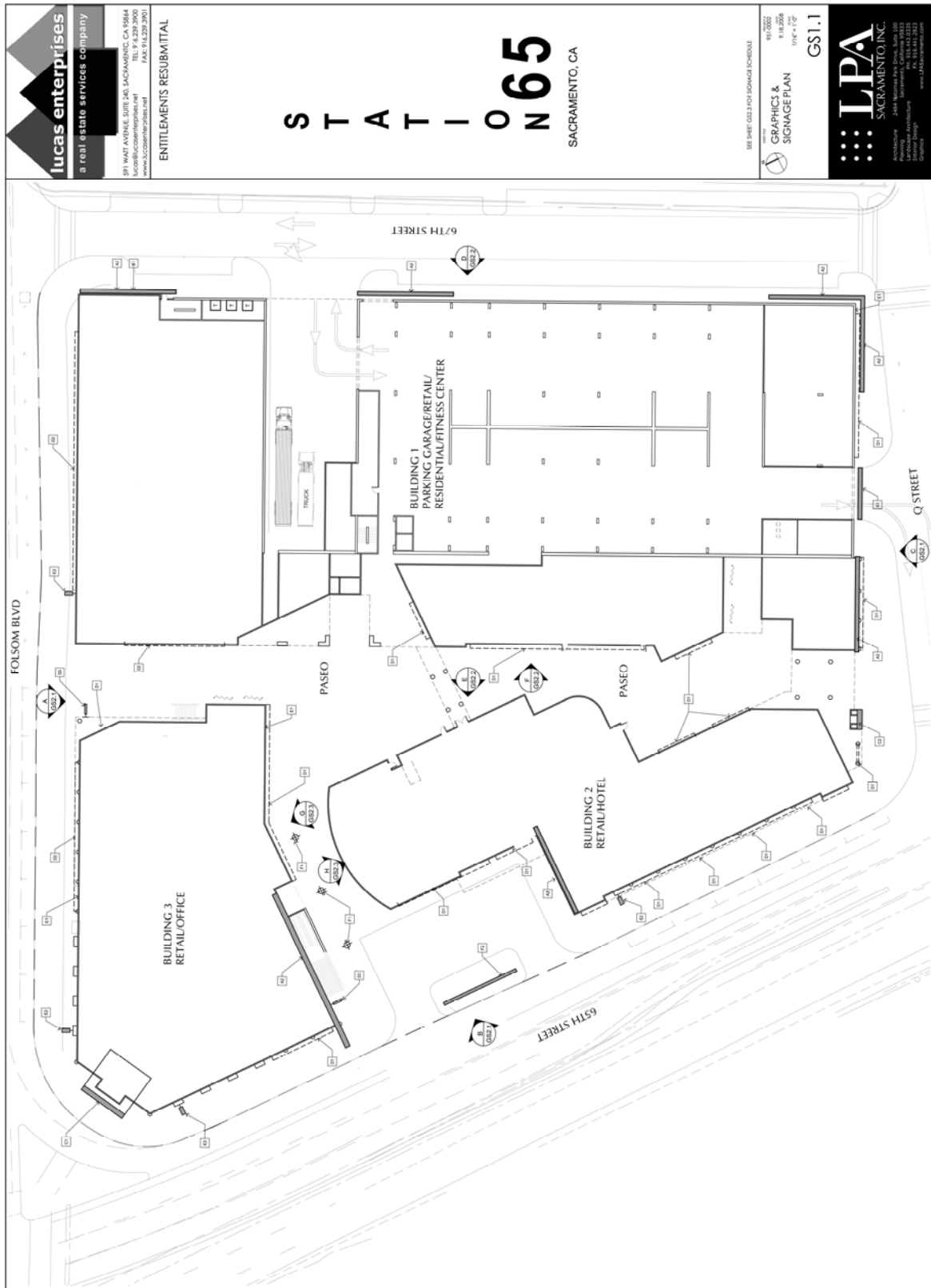


Exhibit H: Graphic & Signage (Both Options)

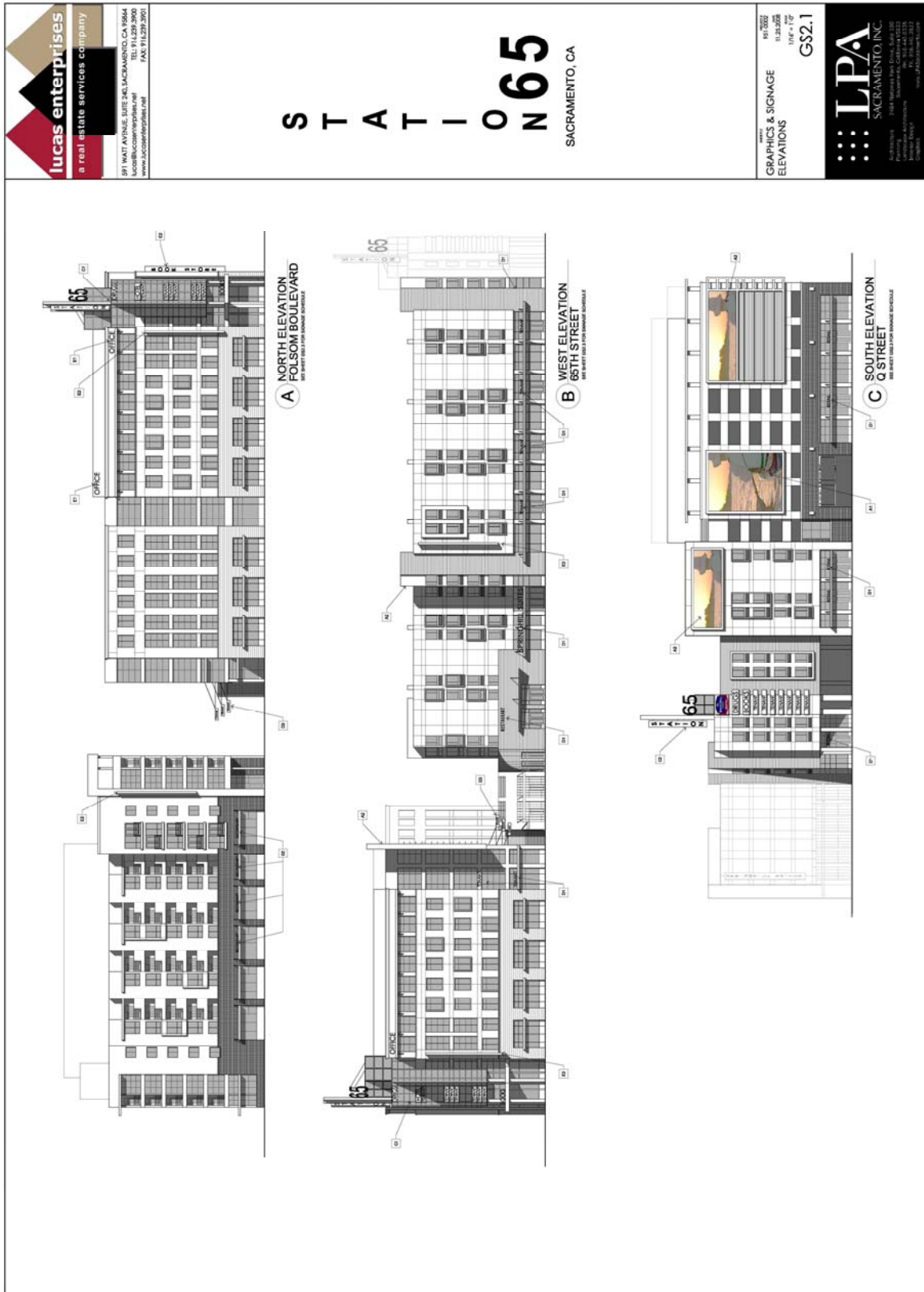




Exhibit H: Graphic & Signage (Both Options)

