

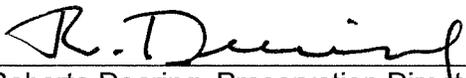
**CITY OF SACRAMENTO PRESERVATION COMMISSION
RECORD OF DECISION
300 Richards Boulevard, Sacramento, CA 95811**

Project Name: **Hyatt Boutique Hotel**
Project Number: PB14-061
Project Location: 1118 & 1122 7th Street
Assessor's Parcel No.: 006-0091-023-0000, 006-0091-024-0000
Applicant: Guneet Bajwa, Presidio Companies, 1011 10th Street, Sacramento, CA, 95814
Action Status: Approved with Conditions Action Date: 8/19/2015

**REQUESTED
ENTITLEMENT(S):**

- A. Environmental Determination: Environmental Impact Report;
- B. Mitigation Monitoring Plan; and
- C. Preservation Site Plan and Design Review to demolish the Jade Apartments, demolish a majority of the Historic Marshall Hotel with exception of the two historic street facades, and build a new hotel, with 11 stories over the northern portion of the site. The building will be comprised of ground level retail, and 159 hotel rooms located on 0.25 acres in the C-3-SPD (Central Business District) zone.

ACTIONS TAKEN: On 8/19/2015, the Preservation Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Approved entitlements (A), (B), and (C) above with conditions.

Action certified by: 
Roberta Deering, Preservation Director

Sent to Applicant: 8/21/2015

By: 
Staff Signature

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 “if applicable” 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 (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); 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 Preservation Commission decision of this item to the City Council must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before 8/31/2015. If the 10th 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 Preservation Commission finds that the Environmental Impact Report for the Hyatt Boutique Hotel project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments and Changes to the Draft EIR) (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 Preservation 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 Preservation Commission certifies that the EIR has been presented to it, the Preservation 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 Preservation 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 Preservation 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 Preservation 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 Manager 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 Community Development Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811-0218. The custodian of these documents and other materials is the Planning Director, Community Development Department.

Exhibit A: Findings of Fact and Statement of Overriding Considerations (Attached)

Exhibit B: Mitigation Monitoring Program (Attached)

Exhibit A

CEQA Findings of Fact and Statement of Overriding Considerations for the Hyatt Boutique Hotel Project (PB14-061) SCH No. 2015032095

I. Description of the Project

The proposed project involves the demolition of the building interior and north and west facades of the Marshall Hotel building, retaining the east and south facades, and demolition of the Jade Apartments to the north. The project would convert and expand the existing Marshall Hotel (most recently used as a single-room occupancy residential hotel) to a new tourist hotel.

The project would demolish the current interior configuration of the Marshall Hotel. A new interior and a taller structure would be constructed above the Marshall Hotel's east façade on the entire north portion of the site and extending the new structure on the north.

The project proposes construction of a completely new building behind the historic 7th Street and L Street facades, to be joined with the new tower, which would span over a portion of the historic building and the site of the demolished non-historic building. The remaining historic facades would be rehabilitated to the historic building's period of significance. The resulting combination would be designated as a Hyatt-branded lifestyle boutique hotel. The resulting eleven-story hotel would have approximately 159 guest rooms and approximately 5,000 square feet of ground floor retail. A 0.26-acre parcel would result from merger of the two existing parcels.

The project proposes to respect the historical significance of the Marshall Hotel two historic street facades and its previous use as the Hotel Clayton by introducing design and use elements that tie into this significance by, for example, creating user spaces (bar and other entertainment areas) that would have a name, look and feel associated with the historical use.

No parking on the project site would be provided. The applicant/operator would provide valet parking, and would utilize parking structures and facilities in the vicinity of the project to accommodate parking requirements.

II. Demolition and Construction:

The project includes demolition of the Jade Apartments and portions of the Marshall Hotel. Construction of the hotel would occur over approximately 18 months.

Demolition of the Jade Apartments and portions of the Marshall Hotel buildings, including removal of foundations on the project site, is expected to last approximately three months. Demolition would take place with a number of excavators, loaders, and dump trucks.

Special precautions would be put into effect as the demolition work proceeds in proximity to existing occupied buildings and the Entertainment and Sports Center (ESC) that is under construction. Physical research would be undertaken on each existing building, including examination of the ESC's practice facility immediately west of the project site. This research

would involve removal of existing expansion joint covers (vertical and horizontal) and possibly the expansion joint material to allow visual inspection of the space between the adjacent building walls.

Coincident with physical review of the buildings, a search for any and all construction documentation on the existing buildings would be performed. The responsible contractor would visit with each building manager as appropriate to review the sequence of construction activities that would be near residents or office tenants, prior to initiation of any demolition activity. The applicant would identify a responsible representative of the contractor to respond to concerns relating to the ongoing project.

The historic building façades would be shored and supported by concrete or shotcrete walls that would stabilize the existing façades until permanent construction of new walls are completed. The existing basement, which was used to house the boiler and pumps, would be cleared, demolished and backfilled with compacted engineered fill with a proper soil profile for construction of the new foundation system. The applicant anticipates that the new foundation system would be a cast-in-place concrete mat foundation. Construction of this portion of the building would take require approximately two months. During the foundation phase, construction employment would average about 15 workers, with a peak of 25 workers.

The construction phase would involve the building erection of steel, concrete and precast concrete elements, and would occur over a period of approximately six months. Construction would involve the use of numerous cranes, loaders, welders, generators, concrete pumpers, and similar construction equipment. During this phase, construction employment would average about 140 workers, with a peak of 220 workers.

Interior and exterior finish work would occur over approximately four months. This phase would involve a wide variety of construction activities involving creating interior spaces and completing the exterior finish of the building, including plumbing, electrical, heating and air conditioning systems, seat and other event system installation, and similar building amenities. During this phase, construction employment would average about 100 workers with a peak of about 150 workers.

Exterior site work and landscaping would be undertaken over a period of approximately six months. During this final phase, construction employment would average 20 workers with a peak of 40 workers.

During construction, the entire project site would be fenced off.

III. Project Objectives:

The objectives for the Proposed Project are:

- Rehabilitate the architecturally significant features of the registered historic structure and provide adaptive reuses for a dilapidated, vacant and functionally obsolete 100 year-old building.

- Enhance the continued economic revitalization and urbanization of downtown Sacramento with a modern, lifestyle boutique brand hotel catering to the modern tourist and traveler.
- Construct and operate a Hyatt-branded, tourist-oriented urban hotel reflecting the character of downtown Sacramento, immediately adjacent to and complementing the new arena and entertainment center's events and activities to better serve its patrons.
- Construct and operate complementary meeting space, entertainment space, dining space, and fitness facilities for patrons of the hotel and downtown businesses residents.
- Create uses that modernize and enhance the downtown tourist and traveler experience, and facilitate downtown tourism.
- Support the shift within the downtown area to environmentally-conscious modes of travel by promoting ride-sharing services and non-vehicular travel by hotel guests and patrons.

IV. Findings Required Under CEQA

1. Procedural Findings

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

Based on the initial study conducted for the Hyatt Boutique Hotel project, SCH No. 2015032095, (hereinafter the Project), the City of Sacramento's Environmental Planning Services determined, on substantial evidence, that the Project is an anticipated subsequent project identified and described in the 2035 General Plan Master EIR; that the Project is consistent with the 2035 General Plan land use designation and the permissible densities and intensities of use for the project site; that the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the Master EIR are adequate for the Project; and that the Project will have additional significant environmental effects not previously examined in the Master EIR. Therefore, staff prepared an environmental impact report ("EIR") on the Project which incorporates by reference the Master EIR and analyzes only the project-specific significant environmental effects and any new or additional mitigation measures or alternatives that were not identified and analyzed in the Master EIR.

Mitigation measures from the Master EIR have been applied to the project as appropriate. 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 on March 27, 2015, and provided by certified mail to each responsible and trustee agency and was circulated for public comments from March 27, 2015 through April 27, 2015.

b. The public comment period began on June 4, 2015 and ended on July 6, 2015.

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 June 4, 2015. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, California 95811. The notice indicated that the official 30-day public review period for the Draft EIR would end on July 6, 2015.

d. A public notice was placed in the Sacramento Bulletin, a newspaper of general circulation, on June 4, 2015, 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 June 4, 2015.

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 2035 General Plan adopted March 3, 2015, and all updates;

c. The Master Environmental Impact Report for the City of Sacramento 2035 General Plan certified on March 3, 2015, and all updates;

d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2035 General Plan adopted March 3, 2015, and all updates;

e. Planning and Development Code of the City of Sacramento;

f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004;

g. Secretary of the Interior's Standards for the Treatment of Historic Properties;

- h. Central Core Design Guidelines;
- i. The Mitigation Monitoring Program for the Project;
- j. All documents submitted to the City by other public agencies or members of the public in connection with the Project, through the close of the final public hearing on the Project;
- 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).)

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 Preservation Commission makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 21081 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 Preservation 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: Air Quality

The Initial Study, attached to the EIR as Appendix B, concluded that the project could result in PM₁₀ concentrations equal to or greater than five percent of the State ambient air quality standard (i.e., 50 micrograms/cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard.

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

AQ-1 *The applicant shall require its construction contractors to implement all of SMAQMD's Basic Construction Emission Control Practices, as follows, to minimize construction-related emissions of PM₁₀ (and PM_{2.5}).*

- *Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.*
- *Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.*
- *Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.*
- *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*
- *All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*
- *Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.*
- *Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.*

Finding: The measures listed above would collectively reduce emissions from particulate matter dust by approximately 54% and are considered feasible mitigation for controlling fugitive dust from a construction site. For these reasons, project-generated

emissions of criteria air pollutants and precursors, including ozone, ROG, NO_x, PM₁₀, and PM_{2.5} would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

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

The Initial Study concluded that the project could result in exposure of sensitive receptors to substantial pollutant concentrations

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

AQ-1 *The applicant shall require its construction contractors to implement all of SMAQMD's Basic Construction Emission Control Practices, as follows, to minimize construction-related emissions of PM₁₀ (and PM_{2.5}).*

- *Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.*
- *Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.*
- *Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.*
- *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*
- *All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.*
- *Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.*
- *Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.*

Finding: The project was found to have less than significant impacts from both construction and operation emissions of criteria air pollutants. With regards to particulate matter, the measures listed above would collectively reduce emissions from particulate matter dust by approximately 54% and are considered feasible mitigation for controlling fugitive dust from a construction site.

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

The Initial Study concluded that the project could conflict with the Climate Action Plan as included in the 2035 General Plan.

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

AQ-2 *Prior to issuance of Building Permits, the project applicant shall demonstrate on the plans via notation how the project design would exceed the 2013 California Building Energy Efficiency Standards Code by five percent. The plans shall be subject to review and approval by the Community Development Department.*

AQ-3 *Prior to issuance of Building Permits, the project applicant shall submit a CALGreen checklist demonstrating how the project meets the 2013 CALGreen Tier 1 water efficiency and conservation standards. The checklist shall be subject to review and approval by the Community Development Department.*

Finding: The implementation of the mitigation measures above would ensure compliance with the City's Climate Action Plan (CAP). In 2012, the City adopted a community-wide CAP. The CAP identified a GHG reduction target of 15 percent below 2005 levels by 2020 for community-wide emission sources, and also set longer term community-wide GHG emission reduction goals of 38 percent below 2005 levels by 2030 and 83 percent below 2005 levels by 2050. The CAP contains a comprehensive set of strategies, measures and implementing actions to achieve the 2020 GHG reduction target. The GHG reduction measures and actions apply to both existing sources within the City as of the 2005 baseline as well as projected emissions from new growth and development anticipated in the 2035 General Plan. The CAP also identifies potential adverse physical effects related to climate change on the community, and includes specific adaptation measures to address and mitigate such effects. The CAP is consistent with elements of a plan for the reduction of GHG emissions, in compliance with Section 15183.5 of the CEQA Guidelines, which provides for tiering and streamlining of GHG emissions analysis for projects consistent with a CAP or other similar programmatic plan for the reduction of GHG emissions.

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

Impact Category: Hazards

The Initial study concluded that the project could expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials.

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

Haz 1 Minimize Potential for Accidental Release of Hazardous Materials.

- (a) *Prior to demolition of existing structures, the project applicant shall provide written documentation to the City that asbestos testing and abatement, as appropriate, has occurred in compliance with applicable federal, state, and local laws.*
- (b) *Prior to demolition of existing structures, the project applicant shall provide written documentation to the City that lead-based paint testing and abatement, as appropriate, has been completed in accordance with applicable state and local laws and regulations.*
- (c) *Prior to demolition, the project applicant shall submit a written plan to the Sacramento County Emergency Management Department (SCEMD) describing the methods to be used to (1) identify locations that could contain hazardous residues; (2) remove plumbing fixtures known to contain, or potentially containing, hazardous materials; (3) determine the waste classification of the debris; (4) package contaminated items and wastes; and (5) identify disposal site(s) permitted to accept such wastes. Demolition shall not occur until the plan has been accepted by the SCEMD and all potentially hazardous components have been removed to the satisfaction of SCEMD staff.*

Finding: Implementation of this mitigation measure would ensure that asbestos-containing building materials, lead-based paint, and other hazardous substances in building components are identified, removed, packaged, and disposed of in accordance with applicable state laws and regulations. This would minimize the risk of an accidental release of hazardous substances that could adversely affect human health or the environment.

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

B. 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 Preservation Commission elects to approve the Project due to overriding considerations as set forth below in Section G, the statement of overriding considerations.

Impact Category: Cultural Resources

The project would result in the demolition of the Marshall Hotel, retaining only the two significant primary street facades of the historic building: The impacts of the project to the historic and architectural significance of the Hotel Marshall would be from the demolition of the non-significant portions of the building with the retention of the exterior east and south corner street facades, which would be retained and rehabilitated, and impacts would also be the result of the proposed new increased height from the additional

floors to be constructed above portions of the hotel's original roof line, though set back from the exterior street facades – from the L Street exterior façade by approximately 19-1/2 feet, and from the 7th Street exterior façade by 1-1/2 feet. The project would remove the interior of the Hotel Marshall and demolish a substantial portion of the building which is a Sacramento Register Landmark and eligible for listing in the California Register. Proposals for demolition of an aggregate of 50 or more linear feet of exterior wall or more than 50% of a historic building's footprint requires Preservation development project review under the City Code. Without mitigation, this is a *significant impact*.

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

Cultural 1 Rehabilitation The proposed rehabilitation of the two corner primary street facades of the Hotel Marshall building shall be undertaken in such a way as to preserve, rehabilitate, or, in certain instances, restore significant exterior architectural features now in a state of disrepair, or which have been lost to alteration, and are subject to further deterioration. The careful rehabilitation action shall enhance the façade elevations and ensure their retention as part of the architectural heritage and history of Sacramento.

Storefront openings shall be rehabilitated to retain original cast-iron pilasters, storefront glazing and entry systems typical of the era of significance, and retention of awning panels and upper clerestory/transom windows above the awning panels, recognizing the need for accessibility and accommodation of new ground floor commercial uses.

The retention and rehabilitation of the larger of the two Hotel Marshall signs, one interpreted within the new Hyatt hotel as part of the story of the building's history, and the other placed in local history repositories, such as the Center for Sacramento History, will contribute to the awareness, understanding, and pride of the Sacramento community in its heritage. The applicant shall incorporate one of the neon hotel signs into a display in the interior of the hotel, and shall offer to donate the other hotel sign to the Center for Sacramento History.

The applicant shall conduct additional research, as directed by the City of Sacramento Preservation Director, to identify the potential presence of former retractable awnings and consider restoring that feature, now long missing.

In order to protect the east and south elevation façade walls during the demolition and construction of the interior and the new tower, a sufficient structural system shall be designed and utilized to ensure there is no damage to the two facades or significant elements of those facades during the rehabilitation work, with a focus on protection of its fragile architectural features as a primary concern. Foundation pile driving shall not be used for construction of the new tower due to its potential for damage to the historic facades and nearby historic buildings.

The attachment of the façade sections to a new interior structure shall be undertaken in such a way to ensure there is no damage to the exterior façade or significant architectural fabric or features.

This measure includes elements such as:

- *Retention and rehabilitation of the two original street façade fire escapes;*
- *Retention and rehabilitation of the original Hotel Clayton sign carved above the 7th Street entryway;*
- *Retention of original street façade window opening configurations through the elimination of new hotel room walls that, as originally proposed, would have crossed original window openings;*
- *Retention of original street façade window opening configurations, including original storefront openings, by requiring that new structural retrofit work not cross any original openings; and*
- *Reconstruction of previously removed cornice return at the northeast corner of the building adjacent to the Jade Apartments.*
- *Any reclaimed or salvaged materials shall be reused/re-appropriated as feasible in the new design, and where infeasible provide for reuse by others. Arrange for a potential distribution of salvaged building fabric from the demolition of the interior.*
- *Re-create a Clayton Club in the rehabilitated Hotel Marshall.*

Cultural 2 Documentation Prior to any construction activity, the existing building shall be recorded photographically and in accord with Level 2 provisions of the Historic American Building Survey. Applicant shall fund a survey of all existing hotels over 45 years of age within the Central City Grid (American River to Broadway and Alhambra Boulevard to the Sacramento River) for the period of significance of the turn of the prior century to 1939.

Cultural 3 Restoration Complete restoration of the projecting cornice shall be undertaken during the exterior rehabilitation of the two historic exterior facades. Both fire escapes shall be rehabilitated, though connecting ladders will be removed and windows that may have originally allowed access will be locked with appropriate warning notices on the interior that the fire escapes are not functional and directing hotel occupants to the emergency egress for the building. All new interior partition walls will align with solid exterior façade walls and not cross any of the existing window openings. New structural elements shall be designed in such a way that no structural brace frames will cross any of the existing window or storefront openings. The original Clayton Hotel sign carved over the original 7th Street entry will be retained and restored. The cornice end/corner extension at the 7th Street north-most end of the building will be restored.

Cultural 4 Optional Actions Options for funding preservation projects to mitigate impacts that may be considered as part of the project:

- Fund a digital application historic walking tour of the downtown area
- Fund an oral history program interviewing people important to the history of the Hotel Marshall/Clayton area and the downtown

- Fund processing of collections at local library and/or archival repositories
- Create exhibits/displays of lost historic buildings in the downtown area for public view and/or event attendance.

Finding: Implementation of the mitigation measures identified above would reduce impacts on historic resources. The impact of the project on historic resources would, however, remain significant and unavoidable.

For these reasons, the impact remains *significant and unavoidable*.

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

Based on the EIR and the entire record before the Preservation Commission, the Preservation 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 Project would result in the long-term commitment of resources to urban development. The Project would require short-term commitment during construction activities of nonrenewable and/or slowly renewable natural and energy resources, such as water resources. Operations associated with future uses would also consume natural gas and electrical energy. Although there are short-term and long-term adverse impacts from the project, the short-term and long-term benefits of the project justify implementation.

D. Project Alternatives.

The Preservation 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 Preservation Commission finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible and/or do not meet project objectives. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

Alternative 1: No Project/No Development Alternative

The no project alternative assumes that the proposed project is not approved, and that no action is taken. The project site includes two vacant structures, the Jade Apartments and the Marshall Hotel, and these would remain. This alternative does not make any assumptions regarding redevelopment of the structures, because it is possible the structures would remain vacant. The project impacts on historic resources, at least in the short term, would be avoided. The no project alternative would not accomplish any of the applicant's project objectives.

The No Project/No Action Alternative, would result in less impact than the proposed project because it would not result in the development of new hotel and commercial uses on the project site. In addition, this alternative would not result in the significant and unavoidable impact related to demolition of the cultural resources because the existing buildings on the project site would remain. However, Alternative 1 would not meet the project objectives because it would not result in the construction of a hotel reflecting the character of downtown Sacramento, would not rehabilitate the significant features of the registered historic structure's two street facades, and would not enhance the continued economic revitalization and urbanization of downtown Sacramento.

While the removal of the interior of the building and the demolition of the west and north facades, and the construction of the new hotel structure would be considered a significant impact, without the project, the building, now vacant and functionally obsolete in an urban location that is substantially upgrading its amenities, character, and clientele, would likely further deteriorate and become endangered due to lack of an appropriate and economically viable use.

Though it is also possible either the applicant or others might redevelop the project site in some manner, there is no substantial evidence that such redevelopment would produce a positive financial return, and the City is aware of no development interest in the project site other than the proposed project. In the absence of a project that effectively utilizes the Marshall Hotel property, however, deterioration of the building is a reasonable possibility, resulting in long-term significant effects to historic resources.

Alternative 2: Renovate Marshall Hotel, with or without demolition of Jade Apartments

Nominal height increases on the Marshall Hotel are necessary given the magnitude of increased costs resulting if more than 10 stories are constructed on the Jade Apartments parcel. In particular, construction costs increase significantly if more than 10 stories are constructed, so much that the project would no longer be feasible as a whole. In the end the resulting heights and configuration of the Marshall Hotel and Jade Apartments have been optimized to address both the concerns regarding the historical nature of the Marshall Hotel and the economic factors driving whether the project occurs at all. Any alternative to the proposed project would be no project, which would result in the continued existence of a functionally obsolete and dilapidated building located at an important focal point in the revitalization of downtown.

This alternative would retain and renovate the Marshall Hotel with its existing façade. Demolition of the Jade Apartments might occur, depending on the renovation program. The Jade Apartments site could, for example, be used as parking or uses consistent with the operation of the Marshall Hotel.

The City is aware of no substantial evidence that operation of the Marshall Hotel in its current configuration would result in a reasonable financial return, that the Jade Apartments would have economic value or that the Jade Apartments vacant site would have any economic benefit to the operator.

This alternative would avoid the significant effects on historic resources caused by the project.

Alternative 3: Demolish Jade Apartments, Expand Marshall Hotel

This alternative would demolish the Jade Apartments and expand the Marshall Hotel without adding any development above the existing vertical height.

Alternative 3 would result in similar impacts as those identified under the proposed project. Though it is also possible either the applicant or others might redevelop the project site in some manner, there is no substantial evidence that such redevelopment would produce a positive financial return, and the City is aware of no development interest in the project site other than the proposed project. In the absence of a project that effectively utilizes the Marshall Hotel property, however, deterioration of the building is a reasonable possibility, resulting in long-term significant effects to historic resources.

E. Statement of Overriding Considerations:

Pursuant to Guidelines section 15092, the Preservation 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 Preservation 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 Preservation Commission makes this statement of overriding considerations in accordance with section 15093 of the CEQA Guidelines in support of approval of the Project.

It is the Preservation Commission's judgment that the combination of all these reasons is sufficient to justify approval of the Project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings.

The benefits of the Project, which outweigh the impacts of the Project, include:

- The Project is consistent with and supportive of Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments, December, 2004 as well as the City's 2035 General Plan. The Project is an infill project that meets the goals of the 2004 SACOG Blueprint, and is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in SACOG's Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). The 2035 General Plan directs the City to accommodate future growth within the City limits and avoid urban sprawl. It focuses on the two major sources of greenhouse gas emissions: building and vehicles. Establishing uses in the Sacramento urban core that encourage residents and visitors to travel by means other than the single-occupancy vehicle is a critical component of the policy effort. Furthermore, the Project is consistent with and supported by the environmental analysis included in the Program EIR prepared for the Master EIRs prepared for the City's 2030 and 2035 General Plans.
- The Project implements state goals established by the Sustainable Communities and Climate Protection Act of 2008 (SB 375). SB 375 was adopted to support the State's

climate action goals to reduce greenhouse gas (GHG) emissions and per capita vehicle miles traveled through coordinated transportation and land use planning with the goal of more sustainable communities. SB 375 requires the region's MTP/SCS to contain land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. On June 12, 2012, the Air Resources Board determined that SACOG's MTP/SCS, if implemented, would allow the region to meet or exceed its GHG emission reduction targets.

- The Project, by bringing a new tourist hotel into Downtown Sacramento, is a step towards the City's continued effort to implement SACOG's MTP/SCS. Specifically, as an infill project located close to transit, the Project is designed and built to encourage walking, bicycling, and transit use over the driving of cars. Additionally, the Project provides a hotel use near a community amenity and downtown businesses, thus reducing the number of vehicle trips. The reduction in vehicle trips correlates to a reduction in GHG emissions, further helping the state and City achieve their GHG emissions goals.
- The Project promotes energy conservation. The Project contains several features that support energy conservation and sustainability, such as constructing buildings that are energy and water efficient and meet the CalGreen Building Code requirements.
- The Project provides revenue to the City of Sacramento. The Project will provide revenue to the City from transient occupancy taxes, as well as increased property tax revenues to fund public services and facilities. Additionally, the Project will generate revenues to the City through payment of building and development impact fees as well as through increased tourism dollars generated by visitors to the City.
- The Project provides employment opportunities for a range of jobs including opportunities for highly trained workers. The Project will provide many temporary construction jobs, as well as permanent hotel jobs, available to Sacramento residents and these employment opportunities will financially benefit the City.

Exhibit B

Mitigation Monitoring Program

THE HYATT BOUTIQUE HOTEL (PB14-061) MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP) has been required by and prepared for the City of Sacramento Community Development Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name and File Number: The Hyatt Boutique Hotel (PB14-061)

Project Location: 1122 7th Street and 1118 7th Street at the northwest corner of 7th and L Streets in the downtown area of the City of Sacramento, Sacramento County
(APNs: 006-0091-024-0000 and 006-0091-023-0000)

Project Applicant: Presidio Companies
Contact: Guneet Bajwa
1011 10th Street
Sacramento, CA 95814
Tel: (707) 853-1833

Property Owner: Presidio Companies
Contact: Guneet Bajwa
1011 10th Street
Sacramento, CA 95814
Tel: (707) 853-1833

Project Location:

The project site is located at 1122 7th Street and 1118 7th Street at the northwest corner of 7th and L Streets in downtown Sacramento (APNs: 006-0091-024-0000 and 006-0091-023-0000)

Project Description:

The proposed project involves the demolition of most of the Marshall Hotel building except for its two street facades (east and south facades) and the demolition of the adjoining "Jade Apartments" to the north, converting the existing vacant Marshall Hotel and the vacant Jade Apartments sites to a new tourist hotel on one new site. This project would remove the current interior configuration of the Marshall Hotel and build a new interior and construct a taller structure, above the Marshall Hotel's east façade on the entire north portion of the site and extending the new structure on the north replacing the current Jade Hotel, and new construction on the top of

the hotel on the north and west. The new structure will be 11 stories (6 stories above the existing Marshall Hotel) and consisting of between 159 and 163 rooms.

SECTION 2: GENERAL INFORMATION

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

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

(See Attachment 2 for Mitigation Monitoring Program Table.)

C. The Preservation Development Project Site Plan & Design Review:

to demolish the Jade Apartments, demolish a majority of the Historic Marshall Hotel with exception of the two historic street facades, and build a new hotel, with 11 stories over the northern portion of the site (comprised of ground level retail, and 159 hotel rooms)

is approved subject to the following,

Findings of Fact:

1. Based upon information provided by the applicant relative to the infeasibility of rehabilitating the entire Marshall Hotel building, retaining exterior and interior elements, and even to reinstate the single-room-occupancy use, would require costly upgrades that likely would not be feasible without a significant subsidy. The termination of redevelopment agencies has severely limited the funds available to provide such a subsidy and no funding source has been identified. In the absence of a feasible use, the building and historic features will continue to decay.
2. Demolition of the Marshall Hotel building, with the exception of the historic street facades, is necessary to proceed with a project consistent with and supportive of identified General Plan goals and policies and the potential effect of the demolition is outweighed by the benefits of the new project by increasing density in the downtown area and in close proximity to light rail and employment uses. The potential effect is outweighed by benefits of the new project which includes replacing under-utilized buildings with the construction of a contemporary tourist hotel supportive of the General Plan land use policies discussed above and the rehabilitation of the two existing historic street façades.
3. Significant features of the historical resource are the two primary street facades. The west and north facades and the interiors of the Marshall Hotel are not considered physical characteristics that convey the historical significance of the building or justify its eligibility for listing in either the Sacramento Register or the California Register.
4. The proposed new use will provide a contemporary, branded tourist hotel use of the former Marshall Hotel/Hotel Clayton;
5. The proposed project will rehabilitate the significant historic features of the two primary street facades, with proposed mitigations;
6. There are no proposed changes that will create a false sense of historical development such as adding conjectural features or architectural elements from other buildings;
7. There are no proposed alterations to any other features of the building that may have acquired historic significance in their own right;
8. Distinctive features that characterize the property are to be preserved, per recommended conditions and mitigations, including new room layouts within the Marshall façade will not impinge upon the original openings and new structural systems to support the existing facades and the new tower addition will not include brace frames crossing any original openings, both ends of the original cornice to be restored, and inappropriate alterations to historic storefronts will be rehabilitated to return to original characteristics, iron piers, and transoms, and retention of original (though to be made inoperative) fire escapes;

9. Surface treatments and cleaning methods will not damage original materials ;
- 10.No significant archaeological resources are proposed to be affected;
- 11.Proposed new exterior alterations to the Marshall Hotel will not destroy historic materials or features of the building, but will affect spatial relationships that characterize the property and its environment, though the proposed new additions will be inset 1-1/2 feet from the 7th Street façade and approximately 19-1/2 feet from the L Street façade;
- 12.The proposed project is not likely to be removed and the essential form of the historic property without impairing its environment.

Conditions of Approval

A. The design of the site (see plans attached):

1. The buildings shall be sited as indicated in the report and exhibits attached.
2. The project shall have building entries and setbacks as indicated in the exhibits attached.
3. Exterior site work (trees, plantings, paving, screening, planters, etc.) shall be provided per the exhibits attached. Automatic irrigation shall be provided for all vegetation.
4. Five (5) long-term and three (3) short-term bicycle parking spaces for hotel use and two (2) long-term and three (3) short-term bicycle parking spaces for restaurant/retail use (racks, lockers and two-tiered racks) shall be provided per City Code section 17.608.030. Staff recommends locating some, if not all of the short-term bicycle between sidewalk planters adjacent to the retail and restaurant spaces along 7th and L Streets, and long term spaces integrated into the building. Final bicycle parking spaces shall reviewed and approved by Preservation staff during the building plan check process and prior to Building Permit issuance.
5. The site is allowed to deviate from the standard loading dock space requirement contained in the Planning and Development Code. Loading areas shall be provided as depicted on the attached exhibits.
6. Concrete used for new sidewalks shall resemble the historic finish, with coloration of the old riverbed sand and aggregate mix. Concrete shall be scored per historic scoring patterns.
7. Exterior lighting schemes and fixtures shall be respectful of the project's exterior design. The applicant shall submit all site light plans, fixtures cut sheets and locations for review and approval by Preservation staff during the building plan check process and prior to Building Permit issuance.

8. Mechanical equipment and utility vaults shall be incorporated into the project site. Backflow prevention devices, SMUD boxes, etc., shall be placed in vaults or incorporated into building structure where not visible from street views, or screened from any pedestrian view. No new conduit shall be placed on exterior walls or on walls within the north concourse area that is to be improved. The applicant shall submit final mechanical locations for review and approval by Preservation staff during the building plan check process and prior to Building Permit issuance.

B. The demolition on site (see plans attached):

9. The Jade Apartments (1118 - 7th Street) may be demolished in entirety as it is not a deemed historic structure. The Jade Apartments demolition plan shall be reviewed and approved by Preservation staff PRIOR to building plan check submittal to ensure that the work will not impinge upon or impact the retention of the existing historic Marshall Hotel façades.
10. The demolition of Historic Marshall Hotel structure with exception of the two historic street facades is approved. The demolition plan shall be reviewed and approved by preservation staff PRIOR to building plan check submittal to ensure that the façades will be supported in a way (such as shotcrete) that ensures retention of all the related façade features, its structural integrity and aesthetic qualities during demolition and throughout construction in order to be completely integrated into the proposed tower.
11. All Marshall Hotel architectural façade elements (this includes but is not limited to brick, terracotta (Hotel Clayton entry frieze including the 7th Street sign and door surround), metal cornice, original ground level storefront systems and cast iron pilasters, original ground level brick infill panels, 7th and L Street corner entry, and fire escapes) shall be rehabilitated per the Secretary of the Interior's Standards for Rehabilitation.
12. The condition of the Marshall Hotel's existing upper floor wood window sashes are such that they may be removed and replaced to match in-kind style, mullions and framing patterns, with dual glazing and sound attenuation. Match-in-kind shall mean matching design, dimensions, profiles, placement, materials and finishes. All original trim and sills to be rehabilitated.
13. Previously removed (prior to this application and not related to the ESC cornice work PB14-059) cornice materials (metal – includes entire band, frieze, dentals, etc.) shall be reattached to the building making the cornice continuous from the east to west along the southern property line, and north to south along the eastern property line. To the extent any individual, prior removed metal cornice material is so severely deteriorated that it is not suitable for reattachment; those elements will be replicated, matching in-kind the original, as necessary for reattachment. The existing Marshall Hotel cornice at the southwest corner shall be replaced to match existing and the northeast cornice shall be returned to its original condition (passing the previous north property line and wrapping back to the west terminating into the new structure). Match-in-kind shall mean matching design, dimensions, profiles, placement, materials and finishes.

14. If any materials which are to be retained and/or reused on the facades are removed by the applicant and found to be so severely deteriorated or damaged to a point where there use/reattachment is not feasible, documentation of the deterioration or damage shall be submitted to preservation staff for concurrence, and if concurrence is made, those materials may be replaced; replacement materials must match-in-kind the original. Match-in-kind shall mean matching design, dimensions, profiles, placement, materials and finishes.
15. Prior to the Final Certificate of Occupancy the historic cornice and decorative metal elements and trim materials shall be reattached with enhanced structural support to match the original built and documented condition. Photo documentation and inventory list (include the type, number and dimensions of elements) shall be provided to Preservation staff prior to beginning of any removal, or reattachment work.

C. The new project (see plans attached):

16. The design of the building shall be as indicated in the report and exhibits with conditions as approved by the Preservation Commission.
17. The new addition over the Marshall Hotel street facades shall be set back 1-1/2 feet from the 7th Street exterior façade and approximately 19-1/2 feet from the L Street exterior façade (including the protruding grey center section) per approved plans.
18. The existing brickwork may be cleaned using the gentlest means possible; proposed cleaning methods and products shall be submitted to Preservation staff for review and approval prior to undertaking any work.
19. Existing brickwork may be repointed, and new grout shall match the original in strength, coloration, texture and joint profiles/patterns, which differs between brick laying patterns.
20. Existing door, window, transom frames at the ground level shall be rehabilitated per approved plans. Ground level storefront systems, design and materials cutsheets shall be provided to preservation staff for review and approval prior to or during building plan check. Applicant shall continue to work with Preservation staff on final plinth material and design approval for new storefront systems.
21. A smooth finished Exterior Insulation and Finish System (EIFS) with associated reveals shall be provided on the new additions per approved plans.
22. Clear anodized aluminum windows with dual glazing shall be provided on the new additions per approved plans.
23. Clear anodized metal window eyebrows shall be provided on the new additions per approved plans.

24. Clear anodized aluminum panel ground level canopy over the 'former Jade Apartments' retail location shall be provided per approved plans.
25. A suspended metal canopy shall be provided on the Marshall Hotel entry per approved plans; final design and materials cutsheets to be provided to preservation staff for review and approval prior to or during building plan check.
26. An oversized extended metal cornice over the 'former Jade Apartments' location shall be provided per approved plans; final design and materials cutsheets to be provided to preservation staff for review and approval prior to or during building plan check. Applicant shall continue to work with Preservation staff on the final design for the new hotel cornice over the existing Marshall Hotel structure prior to and during Building plan check.
27. West most ground level bay along 7th street (Egress stair) shall be revised to carry the transom window header, spacing, and details of the adjacent storefront while maintaining code requirements for safety. Final details shall be reviewed and approved by Preservation staff prior to or during Plan Check.
28. Final exterior lighting scheme, locations and new fixtures shall be reviewed and approved by Preservation staff prior to or during the plan check process and prior to Building Permit issuance.
29. Final details, materials and cut sheets for the project's exterior work, including windows and doors, shall be required for review and approval by Preservation staff during the plan check process and prior to Building Permit issuance.
30. Final roof plan with solar panel locations and other mechanical equipment shall be reviewed and approved by Preservation staff during the plan check process and prior to Building Permit issuance. Mechanical units and hoods shall be located below the parapet to eliminate visual impacts from pedestrian views or adjacent structures.
31. New membrane roofing shall be provided per exhibits attached.

D. The design of the signage:

32. High quality signage with a design and materials that complements the architecture of the building is required and shall meet the sign ordinance. Any signs or sign packages shall be submitted for separate sign permits and coordinated with Preservation staff for review and approval prior to issuance of building permits.

E. General Requirements:

33. All work on the two historic street facades shall meet the Secretary of Interiors Standards for the Treatment of Historic Properties, generally the Rehabilitation Standards, and shall comply with adopted mitigation measures.

34. Any final details that are not determined at the time of the Preservation Commission's final review shall be reviewed by Preservation staff during the plan check process and prior to Building Permit issuance.
35. All other notes by Preservation Staff per Commission's action added onto the final plans as submitted by the applicant are deemed conditions of approval.
36. Any changes to the Commission's approved/conditioned final set of plans shall be subject to review and approval by Preservation Staff, Director, or Commission depending upon the nature of the change, prior to submittal for building plan check or prior to Building Permit issuance.
37. Applicant shall comply with all current building code requirements.
38. Any major revisions proposed to the final approved designs and conditions are subject to review and approval by the Preservation Commission prior to submittal for building plan check. Any minor changes to the design as approved or conditioned by the Preservation Commission are subject to review and approval by Preservation Director. **Final determinations shall be recorded as an amendment to the final Record of Decision that will be included on the Building Permit submittal plans.**
39. The approval shall be valid for three years from the date of the final Commission recommendation or date of any Staff or Director decisions involving requests for minor modifications to the commission's approval. The Commission's approval/conditions shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval and conditions. Prior to expiration, an extension of time may be granted by the Preservation Commission upon written request of the applicant.
40. The applicant shall coordinate scheduling of all on-site building permit inspections with the Planner prior to scheduling the inspections with the building division staff.
41. Final occupancy may be subject to review and approval by Preservation Staff and may involve on-site inspections by Preservation Staff.

Department of Utilities

42. Per Code 13.04.060, each parcel shall have a separate domestic water service connection. Any new domestic water services shall be metered. Excess services shall be abandoned to the satisfaction of the Department of Utilities. (Note: No connection is allowed to the 24" water transmission main in 7th Street.)
43. All onsite drainage, water and sewer systems shall be private systems maintained by the property owner. (Note: Onsite sewer and drainage main shall be separate systems.)

44. This project is served by the Combined Sewer System (CSS). Without mitigation the project will have an impact on the CSS. Therefore, impacts from the project to the CSS must be mitigated. Pursuant to Sacramento City Code section 13.08.490, applicant is required to mitigate these impacts by paying the City's combined sewer development fee as a condition of receiving sewer service. The Combined Sewer System fee will be determined prior to building permit. The fee will be used for improvements to the CSS.
45. All construction groundwater discharges to the Combined or Separated Sewers must be regulated and monitored by the DOU (City Council Resolution #92-439). No new permanent groundwater discharges will be allowed.
46. Foundation or basement dewatering discharges to the CSS will not be allowed. The CSS does not have adequate capacity to allow for dewatering discharges for foundations or basements. Foundations and basements shall be designed without the need for dewatering.
47. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
48. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development in the area. Since the project is less than 1 acre, only source control measures are required. Storm drain public notice message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to "Stormwater Quality Design Manual for the Sacramento and South Placer Regions (May 2007)" Chapter 4 for appropriate source control measures.
49. The applicant is encouraged to consider Low Impact Development (LID) strategy for the site design and utilize LID practices (i.e. stormwater planters) for stormwater treatment. The applicant can obtain LID runoff reduction credits following the guidance in the Stormwater Quality Design Manual. LID runoff reduction will reduce the required treatment volume which could potentially reduce the surface area requirements for the stormwater treatment measures. Contact City of Sacramento Utilities Department Stormwater Program (808-1449) if you have additional questions.

Building Department

50. All work requires a building permit and must comply with the applicable requirements of the 2013 California Code of Regulations Title 24, Part 2 (California Building Code), Part 3 (California Electrical Code), Part 4 (California Mechanical Code), Part 5 (California Plumbing Code), Part 6 (California Energy Code), Part 9 (California Fire Code), and Part 11 (California Green Code).

Department of Public Works

51. No Traffic Study is required for this project.
52. The applicant will have to repair/replace/reconstruct any existing deteriorated curb, gutter and sidewalk to City Standards to the satisfaction of the Department of Public Works.
53. The applicant shall install street lights if not already in place to City Standards to the satisfaction of the Department of Public Works.
54. The applicant must coordinate with the Entertainment Sports Complex (ESC) operator regarding the implementation of the Transportation Management Plan (TMP) for the ESC (pre and post games).
55. Pursuant to City Code Section 17.700.060, the applicant shall be required to submit a Transportation System Management Plan and pay all required fees prior to issuance of the building permit. The Transportation System Management Plan shall be subject to review and approval of the City, Department of Public Works.

Fire Department

56. Comply with City Code 15.100 Highrise Buildings.
57. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105.
58. 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. CFC 501.4
59. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
60. Provide appropriate Knox access for site. CFC Section 506
61. 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. CFC Fire Code Amendments 903.2 (a)
62. 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 and not more than 30 feet from a paved roadway.

Urban Forest

63. Existing street trees are protected under Sacramento City Code 12.56.060. UF requests that the applicant provide a preservation plan for these trees. If in the unforeseen event that retaining these trees proves to be unfeasible, an application for removal will be required.
64. All protection measures and conditions of approval regarding the street trees will be noted on the construction plans and be available on site at all times.
65. The applicant shall submit a letter of inspection to UF written by an ISA Certified Arborist, documenting the condition of the existing street trees and verifying that all protection measures regarding these trees are being adhered to.
66. The plans show 3 planting sites on L Street and 4 on 7th Street. The plans show that these planters measure 8 ft. by 12 ft. and have metal grates over them with that allow for trunk growth. Any modifications to this plan should be reviewed by UF.
67. The plans show an outdoor seating area in the alley off of 7th Street. Any modifications to the location of the outdoor seating should be reviewed by UF.

Regional Transit

68. Project construction cannot disrupt the operation of light rail service.
69. Project construction shall not disrupt transit service or pedestrian access to transit stops or stations.
70. Project shall provide clear and easy accessibility and connectivity for all transit users, including those with disabilities.
71. The property owner shall join the Sacramento Transportation Management Association.
72. Transit information shall be displayed in prominent locations within the hotel for both patrons and employees. Please use the Request Form available on www.sacrt.com to order transit information materials.
73. Implement Transportation Demand Management measures to encourage transit use, such as offering patrons, and employees' transit passes and providing bicycle storage. Please contact RT to assist in developing a transit pass program.

Regional Sanitation

74. Redeveloping this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

SMUD

75. SMUD requires a minimum 12.5-foot public utility easement adjacent to all public street rights of ways for 12 kV and 21 kV facilities.

76. Maintain existing 12kV route along the west side of 7th Street.

77. Proposed 21 kV route across 7th Street at Kayak Alley.

78. Future SMUD facilities located on the customer's property (or in Kayak Alley if customer can obtain rights) may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the customer's property.

Adequate space for equipment pad(s), working clearances and public safety clearances (to building doors, windows, HVAC air supply, etc.) for pad mounted 21 kV switchgear and/or service transformer(s). Each secondary voltage will require a transformer(s).

Pull box (below grade)

Conduits from pull box across 7th Street.

Conduits from pull box to transformer(s).

ADVISORY NOTES

Department of Utilities

79. 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.

80. The proposed project is located in the Shaded X Zone on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) dated August 16th, 2012. Accordingly, the project site lies in an area with no requirements to elevate or flood proof.

Department of Public Works

81. Condition 52 above should prompt the applicant to thoroughly review the ESC TMP as there may be event related traffic controls that will affect the normal operations of the subject site.