REPORT TO PLANNING AND DESIGN COMMISSION
City of Sacramento

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

REVIEW AND COMMENT
July 14, 2016

To: Members of the Planning and Design Commission

Subject: Panhandle Annexation Review and Comment (P16-013). A request for annexation of 1,429± acres into the City of Sacramento, including the vacant land north of Del Paso Road and the developed industrial portion south of Del Paso Road. This project includes the establishment of a Planned Unit Development for a master-planned community comprised of up to 1,625 single-unit dwellings, commercial services, parks, and schools. The purpose of this report is to provide the Commission and public with an overview of the project and the opportunity to provide comments.

Location/Council District:

South of Elkhorn Boulevard, north of Interstate 80, west of Northgate Boulevard and Sorento Road, and east of Gateway Park Boulevard and the Northpointe Park Planned Unit Development (Natomas Park and Regency Park) / Adjacent to Council District 1.

Assessor's Parcel Numbers: See Attachment 1

Council District: 1

Recommendation: This item is an informational report which does not require the Planning and Design Commission take formal action. It is an opportunity for the Commission to become familiar with the proposed project and to provide comments regarding the proposal and requested entitlements.

Staff Contact: Garrett Norman, Assistant Planner, (916) 808-7934
Lindsey Alagozian, Senior Planner, (916) 808-2659

Applicant: John Hodgson
The Hodgson Company
2514 Chinatown Alley, Sacramento, CA 95816

Owner: Multiple Owners (See Attachment 2)

Summary: The entire project area known as the "Panhandle" (1,429± acres) is currently located within the County of Sacramento. The subject site is comprised of two areas:

1. The **"Handle"** is the predominately vacant property to the north of Del Paso Road and south of Elkhorn Boulevard. This area is the subject of the applicant's request for annexation and corresponding entitlements for development. This portion contains approximately 589 acres.

2. The **"Pan"** portion is the developed area south of Del Paso Road and north of I-80. This area is currently being studied by the City for potential annexation and contains approximately 840 developed acres, which mostly consists of light-industrial uses. The applicant has not applied for annexation of the "Pan" portion and does not represent any owners within the area. The City has included an analysis of the "Pan" within the scope of the Environmental Impact Report because the applicant's request necessitates the need for a determination as to whether or not this area should be annexed into the City or remain within the County of Sacramento.

Figure 1: Project Location Map

The purpose of this report is to present the development proposal for the "Handle" portion only. Staff is soliciting feedback on the distribution of land uses, circulation plan, and street cross-sections. Input from both the Planning and Design Commissioners and from members of the public will help to inform the future direction of the project as it progresses through the entitlement process.

Anticipated Entitlements: Based upon the current proposal, the following list of entitlements is anticipated for this project:

A. **Environmental Determination:** Environmental Impact Report (EIR);
B. **Mitigation Monitoring Plan** (MMP);
C. **Annexation** into the City of Sacramento;
D. **Development Agreement**;
E. **Master Parcel Map**;
F. **General Plan Amendment** to amend the General Plan designation of Planned Development (PD) to Suburban Neighborhood Low Density (SNLD), Parks and Recreation (PR), Open Space (OS), and Suburban Center (SC).
G. **Prezone** of the property to Single-Unit Dwelling (R-1-PUD), Single-Unit or Duplex Dwelling Zone (R-1A-PUD), Agriculture Zone (A-PUD), Agriculture-Open Space Zone (A-OS-PUD), and Limited Commercial Zone (C-1-PUD) to accommodate the Panhandle project.
H. **Establishment of the Panhandle Planned Unit Development (PUD)**;
I. **Site Plan and Design Review** for the Master Parcel Map.

Background Information: A proposal for this site was contemplated approximately ten years ago (M05-031/P05-077). The previous Panhandle project underwent a fully vetted process with the community, the City of Sacramento Planning Commission, Law and Legislation Committee, and City Council. The project almost completed entitlement approval, with the exception of the Local Agency Formation Commission (LAFCO) annexation approval and a final action by the City Council. In September 2007, the City Council unanimously approved a motion of intent for the full slate of entitlements, with exception to the tax exchange agreement. The rationale for the intent motion was to bring forward all the entitlements for final Council action, after approval of a tax exchange agreement. A tax exchange agreement between the City and County of Sacramento was approved by the City Council and Board of Supervisors in 2010 for the vacant land north of Del Paso Road and 58 acres of developed industrial property immediately north and south of Del Paso Road (Resolution 2010-266). The final Council hearing never occurred due to economic shortfalls.

<u>Site Context</u>: The "Handle" is primarily vacant with the exception of a half-built middle/high school located on the northern half of the site and a farm house and accessory buildings (known as the Krumenacher Ranch) located at the northern edge of the site, south of Elkhorn Boulevard. The Krumenacher Ranch is an active cattle ranch operation; the Krumenacher property, while proposed for annexation, is not proposed for development at this time and the land owner is not a party to the Panhandle project application. Further north of the site, on the north side of Elkhorn Boulevard is agricultural land used for farming rice. To the west of the site is existing suburban

development in North Natomas; these adjacent communities are called Natomas Park and Regency Park and is mostly comprised of single-unit dwellings with the incorporation of parks and schools. To the east, on the east side of Sorento Road, is a rural neighborhood within City limits, known as Valley View Acres. The Valley View neighborhood is developed with homes on larger lots of an acre or more. Some of these properties have active livestock, such as horses and chickens. On the east side of E. Levee Road, within the County, is Steelhead Creek, a wetland refuge, and a used auto auction business. South of the site, on the south side of Del Paso Road, is existing development within the County that includes a variety of land uses, but is mostly comprised of light-industrial uses. For clarification, please refer to the Vicinity Map in Attachment 3 and Site Photos in Attachment 4.

Policy Considerations

General Plan: The Panhandle project, including the proposed land uses and circulation plan, is being reviewed for consistency with the goals and policies established by the City of Sacramento 2035 General Plan and North Natomas Community Plan. City staff is sensitive to the context of the Panhandle as it is situated between two existing neighborhoods in Natomas, each with different features and characteristics. A list of policies and key urban form standards that are relevant to the review of the project can be found in Attachment 11.

Annexation: The State of California enacted legislature in the 1960s to provide regulation on the reorganization of municipal boundaries. These laws have since been refined and are now referred to as the Cortese-Knox-Hertzberg Local Government Reorganization Act. This law establishes rules and policies for incorporating land into local jurisdictions (cities). One major component of the law is the creation of Local Agency Formation Commissions (LAFCO). LAFCOs represent each county in the State and are the final decision-makers on annexations. They serve the important role in evaluating local government boundaries while guiding the efficient, cost-effective, and reliable delivery of municipal services to California's citizenry. This annexation request will be subject to a Prezone and a tax exchange agreement between the City and County of Sacramento. Additionally, it will require detachment from various special districts that are providing services to the area.

Land Uses

Planned Unit Development: A Planned Unit Development (PUD) will be prepared for the subject site. The creation of a PUD is required for development projects in the North Natomas Community Plan area. The intent of a PUD is to encourage greater flexibility in the design of integrated developments than otherwise possible through strict application of zoning regulations and ensure the long-term development of well-planned communities that offer a variety of land uses. The applicant has submitted a schematic plan for the PUD (Attachment 5), that identifies the location of proposed uses and residential densities. The applicant has not submitted the draft design guidelines at this time.

A breakdown of each of the proposed land uses can be found in Table 1:

Table 1: Proposed Land Use Summary

Use	General Plan	Zoning	Gross Acres	Net Acres	Units	Net Density
Single-Unit Dwellings (Estate)	SNLD	R-1	101.3±	91.1±	409±	4.4
Single-Unit Dwellings (Traditional)	SNLD	R1-A	138±	127.2±	763±	5.9
Single-Unit Dwellings (Compact)	SNLD	R-1A	68.4±	60.5±	453±	7.4
Elementary School	SNLD	R-1A	11.5±	10±		
Middle/High School	SNLD	R-1A	65.4±	63.8±		
Parks	PR	A-OS	18.4±	15.5±		
Niño's Parkway	PR	A-OS	35.3±	30±		
Suburban Center	SC	C-1	10.6±	9.7±		
Detention Basin	OS	A-OS	12.6±	12.3±		
Krumenacher Ranch	PD	A	123±	118.9±		
Major Roadways (Del Paso Rd & Elkhorn Blvd)	Varies	Varies	4.9±	4.9±		
Collector Roadways	Varies	Varies	0.0±	45.5±		
Totals:			**589.4±**	**589.4±**	**1,625±**	

Residential: The proposed development consists of single-unit dwellings of various lot sizes and density. No multi-family residential is proposed. The single-unit dwellings are characterized into three categories:

- Estate Lots
  - The estate lots are characterized as being large lots of an approximate average net density of 4.5 dwelling units per acre (about 9,600 square feet per lot). These lots are strategically located along Sorento Road to provide a transition from the larger, more rural lots of Valley View Acres to the east, to the more standard sized lots to the west. As indicated in the proposed schematic plan, the estate lots would border the entire Valley View Acres area and provide the community with a larger residential lot type that is not typical in the North Natomas area.

- Traditional Lots
  - The traditional lots are of a larger, more traditional size with an average net density of 6.0 dwelling units per acre (about 7,200 square feet per lot). The traditional lots are located adjacent to the existing North Natomas development to the west and towards the center of the subject site.

- Compact Lots
  - The compact lots are also a more traditional size lot, with an average net density of 7.5 dwelling units per acre (about 5,800 square feet per lot).

These lots are centrally located within the project and do not exceed eight dwelling units per net acre.

An estimated total of 1,625 units will be provided within these residential designations.

Schools: There are two sites being designated for schools within the project:

- An Elementary School is located towards the southern half of the subject site adjacent to a proposed park. This school site is within the Robla Unified School District.
- There is a Middle/High School designated towards the northern half of the subject site. This school site is partially constructed. This school site is within the Twin Rivers Unified School District.

Parks: There are two parks located within the project site. Park 1 is located adjacent to the Elementary School which offers a joint recreation space for nearby residents and students. The larger park (Park 2) is centrally located within the project and is strategically placed along the Niño's Parkway to capitalize on a shared recreational space. Additionally, this park is designed to accommodate a variety of ball fields.

Niño's Parkway: There is an existing powerline easement (SMUD/WAPA powerlines) that is approximately 200 feet wide and runs north/south for the entire length of the project site. Consistent with the North Natomas Community Plan Policy NN.ERC 1.12, this easement area is proposed to be developed as a parkway and will accommodate a Class I bicycle path. This Niño's Parkway is partially developed in South Natomas, south of San Juan Road to W. El Camino Avenue, under the same powerline easements.

Suburban Center: A neighborhood commercial center is proposed at the northeast intersection of National Drive and Del Paso Road. The intent of this commercial center is to be developed with neighborhood serving uses, such as coffee shops, restaurants, and other small retail services.

Stormwater Detention: A stormwater detention basin is shown on the western edge of the site, which is an existing natural pond. With development of the project, this natural pond will be graded and sized to properly handle the site's drainage. The majority of the project site will flow into this drainage detention basin; however, some southern parcels will need their own stormwater storage facilities.

Krumenacher Ranch: The Krumenacher Ranch is located south of Elkhorn Boulevard and consists of approximately 123 acres. The owners of this property are not a participant in this application and therefore no development is proposed for this property. However, the site is proposed to be included in the annexation application to LAFCO. This property is also being analyzed at a programmatic level in the Environmental Impact Report (EIR) as a potential historic resource.

For clarification of specific land use locations please refer to the Planned Unit Development Schematic Plan in Attachment 5 and in Figure 2 below.

Circulation

Roadways:

- National Drive is the pivotal connecting north/south roadway from Del Paso Road to Elkhorn Boulevard.
    - It is anticipated homes will be designed to front onto National Drive to provide a more pedestrian scale environment with "eyes on the street", ultimately activating the streetscape. The intent is to avoid roadways that are walled off by the backs of residential properties.

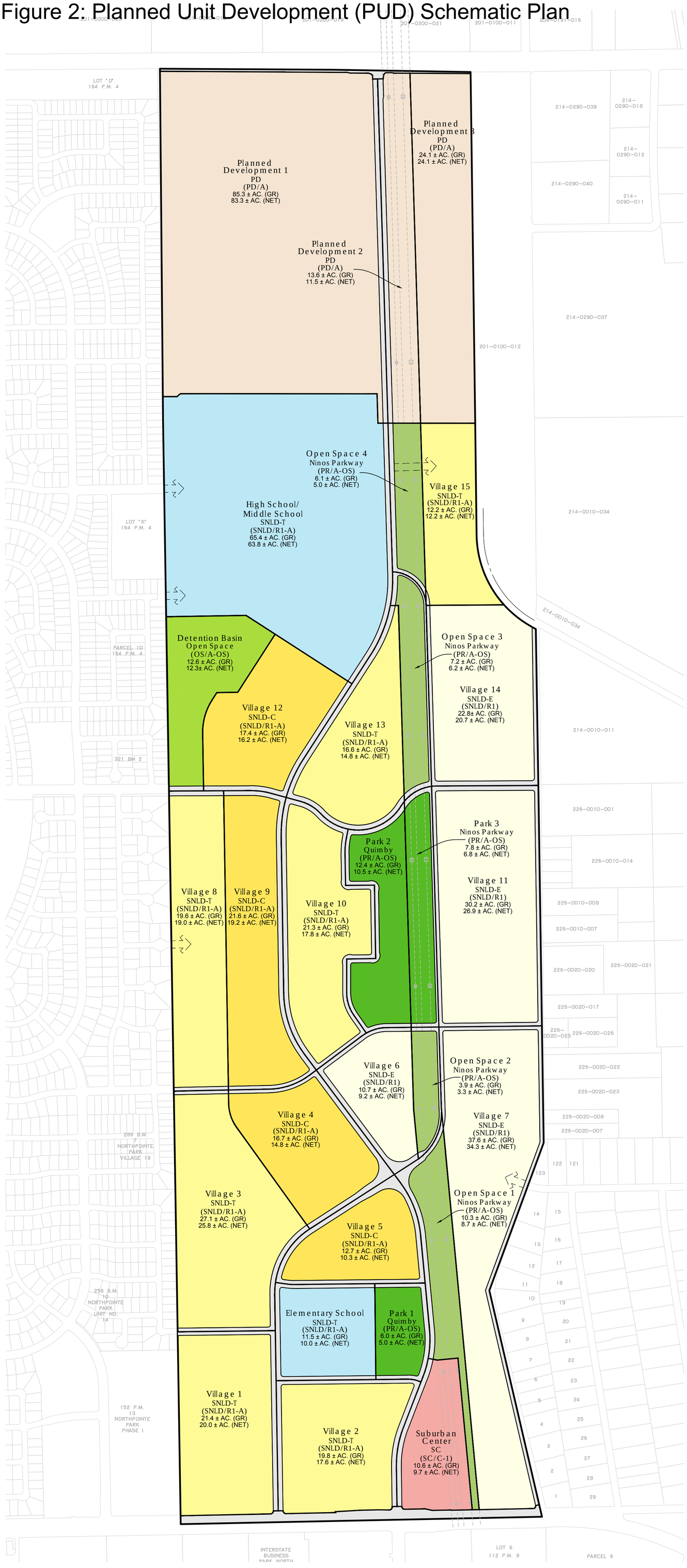
- Sorento Road will be improved from the centerline to the western half of the property. This roadway will provide curb/gutter, on-street bicycle lane, and a separated sidewalk. It is expected that homes will front onto Sorento Road. The following streets are proposed to connect into Sorento Road:
    - Aimwell Avenue
    - Club Center Drive
    - Barros Drive

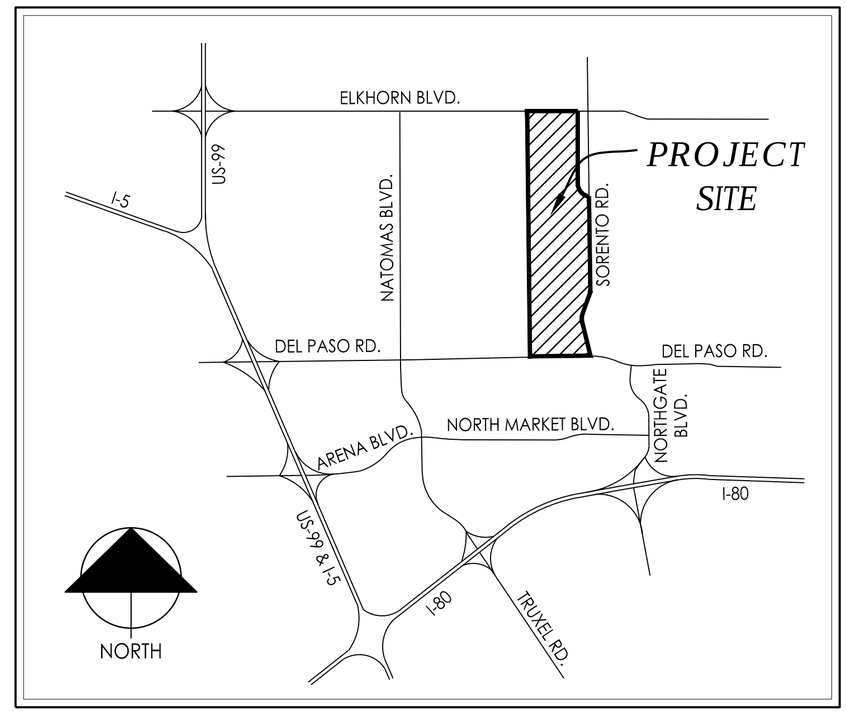
- The project will extend the stub streets in the existing North Natomas development to the west. The following streets are proposed for connection into the new development:
    - Mayfield Street
    - Aimwell Avenue
    - Cadman Court
    - Club Center Drive
    - Staff and the applicant are pursuing the option of extending Faletto Avenue and/or Amazon Avenue; however, the existing half-built middle/high school site creates a barrier that may not allow these connections. It is expected pedestrian access will be allowed if vehicular access is denied.

The proposed roadway layout is designed to provide good connectivity between the existing neighborhoods to the west and east. The intent is to allow both neighborhoods the opportunity to easily access the amenities in the Panhandle project. For clarification on proposed street sections and location of all proposed streets, please refer to the Master Parcel Map in Attachment 10 and the Bikeway Exhibit in Attachment 6.

Bikeways: The project provides Class I, II, and III bicycle facilities throughout the project. A Class I trail will be located in the Niño's Parkway. Class II facilities will be located along National Drive, Club Center Drive, Del Paso Road, and Elkhorn Boulevard. Class III facilities will be located on other roadway segments. For clarification on proposed bicycle facilities, please refer to the bikeway exhibits in Attachments 6 and 7.

Figure 2: Planned Unit Development (PUD) Schematic Plan





Parkland Dedication Summary Table 07-01-16

PANHANDLE Planned Unit Development Plan						2013 parkland dedication formula	
land use	unit type	net acres	avg. net density	dwelling units	% of total residential units	Quimby Formula	parkland dedication rqmt.
SNLD-E	SF	91.1	4.5	409	25%	0.0135	5.52
SNLD-T	SF	127.2	6.0	763	47%	0.0135	10.30
SNLD-C	SF	60.5	7.5	453	28%	0.0135	6.11
TOTAL				1,625			21.94

on-site park deficit	-6.44 acres	(to be paid in in-lieu fee)
parkland provided	22.30	
creditable parkland	15.50	

NOTE: 6.8 AC. OF PARKLAND SHOWN IN PL CORRIDOR SEEKS NO QUIMBY CREDIT

park requirement	5/1000	adjust.	3.5/1000	adjusted	delta
3.5ac/1000 actual parkland	21.94	0.7	15.36 acres on-site	15.50	0.14
1.5/1000 in-lieu fee	21.94	0.3	6.58 acres in-lieu fee	6.44	
			21.94 total rqmt.	21.94	

LAND USE SUMMARY

PUD Land Use*	General Plan	Zoning	Acres (G)	Acres (N)	Units
SNLD-E	SNLD (3-8 du/ac)	R-1	101.3±	91.1±	409±
SNLD-T	SNLD (3-8 du/ac)	R1-A	138.0±	127.2±	763±
SNLD-C	SNLD (3-8 du/ac)	R1-A	68.4±	60.5±	453±
Elementary School	SNLD (3-8 du/ac)	R1-A	11.5±	10.0±	
High School / Middle School	SNLD (3-8 du/ac)	R1-A	65.4±	63.8±	
Park - Quimby	PR	A-OS	18.4±	15.5±	
Park - Ninos Parkway	PR	A-OS	7.8±	6.8±	
Open Space - Ninos Parkway	PR	A-OS	27.5±	23.2±	
Suburban Center	SC	C-1	10.6±	9.7±	
Detention Basin - Open Space	W	A-OS	12.6±	12.3±	
Planned Development (Krumenacher Property)	PD	A	123.0±	118.9±	
Major Roads (Del Paso Rd & Elkhorn Blvd)	varies	varies	4.9±	4.9±	
Collector and Residential Streets	varies	varies	0.0±	45.5±	
		TOTALS	589.4±	589.4±	1,625± DU

*SNLD = Suburban Neighborhood Low Density (Detached Single-Family Residential)
-E = Estate (4.5 du/ac average net density)
-T = Traditional (6.0 du/ac average net density)
-C = Compact (7.5 du/ac average net density)

NORTH

0 200 400 800
SCALE:1"=400'

PUD SCHEMATIC PLAN

PANHANDLE

City of Sacramento *July 01, 2016*

MacKay & Somps
ENGINEERS PLANNERS SURVEYORS

P:\27141_OA\PLN\Applications\TM\2016-07-01_2nd Submittal\PH-PUD Schematic_Color.dwg 7-01-2016 10:10:48 ecrow

Master Parcel Map: The applicant is requesting a Master Parcel Map. A Master Parcel Map is a map that subdivides large tracts of land into smaller parcels for the purpose of later selling or otherwise transferring the parcels for further subdivision. A Master Parcel Map remains conceptual rather than providing the detail of each residential lot and street.

It is important to note that neighborhood streets and individual lots are not shown and are not part of this entitlement package, for the aforementioned reasons. As the property is further subdivided through Tentative Parcel Map(s), the neighborhood lots and streets will be reviewed for additional street connections, lot layout design, and consistency with the Panhandle PUD schematic plan and design guidelines. The proposed Master Parcel Map and corresponding entitlements are the roadmap to the final build-out of the Panhandle project.

Environmental Considerations: An Environmental Impact Report (EIR) is being prepared as part of the applicant's request for the following entitlements: Amendment to the City of Sacramento 2035 General Plan; Prezone to reflect the specific land use designations; Master Parcel Map; establishment of the Panhandle Planned Unit Development for the northern portion; and a development agreement. The EIR will include a complete project description, identification of potential significant effects, mitigation requirements, and an evaluation of alternatives. The draft EIR will be circulated for a public review period. Certification of the EIR is required before approval of any project component.

Community Outreach: Staff has notified the following community groups: Regency Park Neighborhood Association; Valley View Acres Community Association; Robla Park Community Association; Natomas Community Association; North Natomas Community Association; North Natomas Community Coalition; Natomas Chamber of Commerce; Creekside Natomas Neighborhood Association; Environmental Council of Sacramento; WALK Sacramento; Sacramento Area Bicycle Advocates. Staff has received a number of comments on the project and is in the process of analyzing these comments. These comments are included as Attachment 12.

The applicant has conducted outreach to several of the North Natomas neighborhood groups, including Valley View Acres Community Association, Regency Park Neighborhood Association, North Natomas Community Coalition, and the North Natomas Transportation Management Association. The applicant has plans to continue outreach efforts to other neighborhood groups in the near future.

Conclusion: All documents provided with this review and comment report are currently in draft form. City staff expects to return for a formal action on the entitlements at a future, unknown date. Upon its return, the Commission will be asked to make a recommendation to the City Council regarding the requested entitlements.

Respectfully submitted by: _____
GARRETT NORMAN
Assistant Planner

Reviewed by: _____
LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:

_____
STACIA COSGROVE
Principal Planner

Attachments:

Attachment 1: Accessor Parcel Numbers (APN)
Attachment 2: Owner List
Attachment 3: Vicinity Map
Attachment 4: Site Photos
Attachment 5: Planned Unit Development (PUD) Schematic Plan
Attachment 6: Bikeway Exhibit
Attachment 7: Regional Bikeway Exhibit
Attachment 8: General Plan Amendment Exhibit
Attachment 9: Prezone Exhibit
Attachment 10: Master Parcel Map
Attachment 11: General Plan and North Natomas Community Plan Policies
Attachment 12: Community Comments

Attachment 1: Accessor Parcel Numbers (APN)

201-0320-018-0000; 225-0050-020-0000; 225-0050-016-0000; 225-0050-003-0000;
201-0320-019-0000; 225-0050-021-0000; 225-0060-032-0000; 225-0060-021-0000;
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Attachment 2: Owner List

"Handle" Owner List:

Twin Rivers Unified School District
5115 Dudley Boulevard
McClellan, CA 95652

Alice A. Krumenacher
6301 E. Levee Road
Rio Linda, CA 95673

BD Properties, LLC
LLC Member(s): Orin Bennett; Steve DeCou
1082 Sunrise Avenue
Roseville, CA 95661

Moontide, LLC
LLC Member(s): J. Richter
32932 Pacific Coast Hwy 14-357
Monarch Beach, CA 92629

Carl Brothers Successor Trustee of the Ernest G Brother 1993 Trust
414 L Street
Rio Linda, CA 95673

Tasso Peter Cononelos
4300 D Street
Sacramento, CA 95819

Beachfields, LLC
LLC Member(s): J. Richter
3017 Douglas Boulevard
Roseville, CA 95661

"Pan" Owner List:

1214 NORTH MKT LLC
2555 TAYLOR RD
PENRYN, CA 95663

22301 FOOTHILL HAYWARD LLC
1860 EL CAMINO REAL 500
BURLINGAME, CA 94010

AMERICAN TOWERS INCORPORATED

PO BOX 723597
ATLANTA, GA 31139

ARAMARK UNIFORM SERVICES INC
115 N FIRST ST
BURBANK, CA 91510

AU PROPERTY DEVELOPMENT LLC
1014 2ND ST 300
SACRAMENTO, CA 95814

AVISTONE NORTHGATE LLC
3131 S VAUGHN WAY 301
AURORA, CO 80014

BAY MICROFILM VENTURES LIMITED PARTNERSHIP
13890 LA PALOMA RD
LOS ALTOS HILL, CA 94022

BURGETT ENT LLC
4111 N FREEWAY BLVD
SACRAMENTO, CA 95834

CALIF TOW TRUCK ASSOCIATION FOUNDATION INC
3050 BEACON BLVD 100
WEST SACRAMENT, CA 95691

CANNON NORTHGATE WAREHOUSE
2580 SIERRA BLVD D
SACRAMENTO, CA 95825

CERRITOS AVE PARTNERS LTD
13620 LINCOLN WAY 300
AUBURN, CA 95603

CINTAS SALES CORPORATION
PO BOX 625737
CINCINNATI, OH 45262

COMCAST CABLE COMMUNICATIONS INC (COMCAST CORP)
1 COMCAST CTR
PHILADELPHIA, PA 19103

CONRAD ETHAN G
130 NATIONAL DR 100
SACRAMENTO, CA 95834

CORRECTIONAL PEACE OFFICERS FOUNDATION INC
1346 N MARKET BLVD
SACRAMENTO, CA 95834

CRAIG E WALDMAN TRUST
2000 L ST 200
SACRAMENTO, CA 95811

DAVIS WAGNER RASBERRY LLC
PO BOX 399
RIO LINDA, CA 95673

DEATSCH FAMILY TRUST
11696 TUNDRA DR
TRUCKEE, CA 96161

DFA OF CALIFORNIA
710 W STRIKER AVE
SACRAMENTO, CA 95834

DULCICH REALTY LLC
3220 SW 1ST AVE
PORTLAND, OR 97201

EUGENE C/DIANNE R GINI FAMILY TRUST
6491 SAINT ANDREWS DR
STOCKTON, CA 95219

GARY/SUSAN RUSSELLO REVOCABLE TRUST
PO BOX 1038
ALAMO, CA 94507

GENUINE PARTS COMPANY
2999 CIRCLE 75 PKWY
ATLANTA, GA 30339

HAL CALIFORNIA PROPERTIES LP
10600 WHITE ROCK RD 100
RANCHO CORDOVA, CA 95670

HARSCH INV PROPS LLC
1121 SW SALMON ST 5
PORTLAND, OR 97205

ICON OWNER POOL 1 SF NON-BUSINESS PARKS LLC
2 N RIVERSIDE PLZ 2350
CHICAGO, IL 60606

JB COMPANY MANAGEMENT LP
1825 BELL ST 100
SACRAMENTO, CA 95825

JOSE/BETTY ZERTUCHE 1990 TRUST
PO BOX 418
TWAIN HARTE, CA 95383

KEYWEST CAPITAL LLC
4040 LENNANE DR
SACRAMENTO, CA 95834

KUMIVA GROUP LLC
1612 W PICO BLVD
LOS ANGELES, CA 90015

LDR PARTNERS
3775 N FREEWAY BLVD 101
SACRAMENTO, CA 95834

LILY COMPANY
501 S ST 1
SACRAMENTO, CA 95811

M/J INVESTMENTS
PO BOX 340625
SACRAMENTO, CA 95834

M/S INVESTMENTS
312 LOCH LOMOND RD
RANCHO MIRAGE, CA 92270

MARTINEZ DEBBIE D
613 W STADIUM LN
SACRAMENTO, CA 95834

MEYER MOTELS LTD
725 FOLGER AVE
BERKELEY, CA 94710

NAJOLIA MARY C
701 DEL PASO RD
SACRAMENTO, CA 95834

NEXGEN ASSETS LLC
3721 LOS CERROS PL

DAVIS, CA 95618

NORTH FREEWAY INVESTORS LLC
7700 COLLEGE TOWN DR 101
SACRAMENTO, CA 95826

NORTHGATE ASSEMBLY OF GOD OF NORTH SACRAMENTO
4027 N FREEWAY BLVD
SACRAMENTO, CA 95834

NORTHGATE PARTNERSHIP
8615 ELDER CREEK RD 100
SACRAMENTO, CA 95828

OPERATING ENGS LOCAL UNION NO 3 BLDG HLDG ASSOC
1620 S LOOP RD
ALAMEDA, CA 94502

PACIFIC FRESH SEAFOOD INC
1420 W NATIONAL DR
SACRAMENTO, CA 95834

PHYLLIS M KAUFFMAN REVOCABLE TRUST
344 CANYON FALLS DR
FOLSOM, CA 95630

Q-LAND INC
1165 NATIONAL DR
SACRAMENTO, CA 95834

RAGINGWIRE ENTERPRISE SOLUTIONS INCORPORATED
5470 KIETZKE LN 230
RENO, NV 89511

RYDER KURTIS S (ULTRA GLASS)
4001 VISTA PARK CT
SACRAMENTO, CA 95834

SACRAMENTO MUNICIPAL UTILITY DISTRICT
PO BOX 15830
SACRAMENTO, CA 95852

SALVATION ARMY
3755 N FREEWAY BLVD
SACRAMENTO, CA 95834

SHAW 1989 REVOCABLE TRUST

1380 GALAXY WAY
CONCORD, CA 94520

SPITTERS LAURENCE L
555 BYRON ST 105
PALO ALTO, CA 94301

STERLING BLACKWOOD HOLDINGS LLC
PO BOX 1750
ROCKLIN, CA 95677

STRIKER BUSINESS CENTER LLC
7639 ROMAN OAK WAY
SACRAMENTO, CA 95831

TEO PROPERTIES LLC
PO BOX 1882
FAIR OAKS, CA 95628

THF INVS LLC
729 W STADIUM LN
SACRAMENTO, CA 95834

TOV DAY LLC
725 FOLGER AVE
BERKELEY, CA 94710

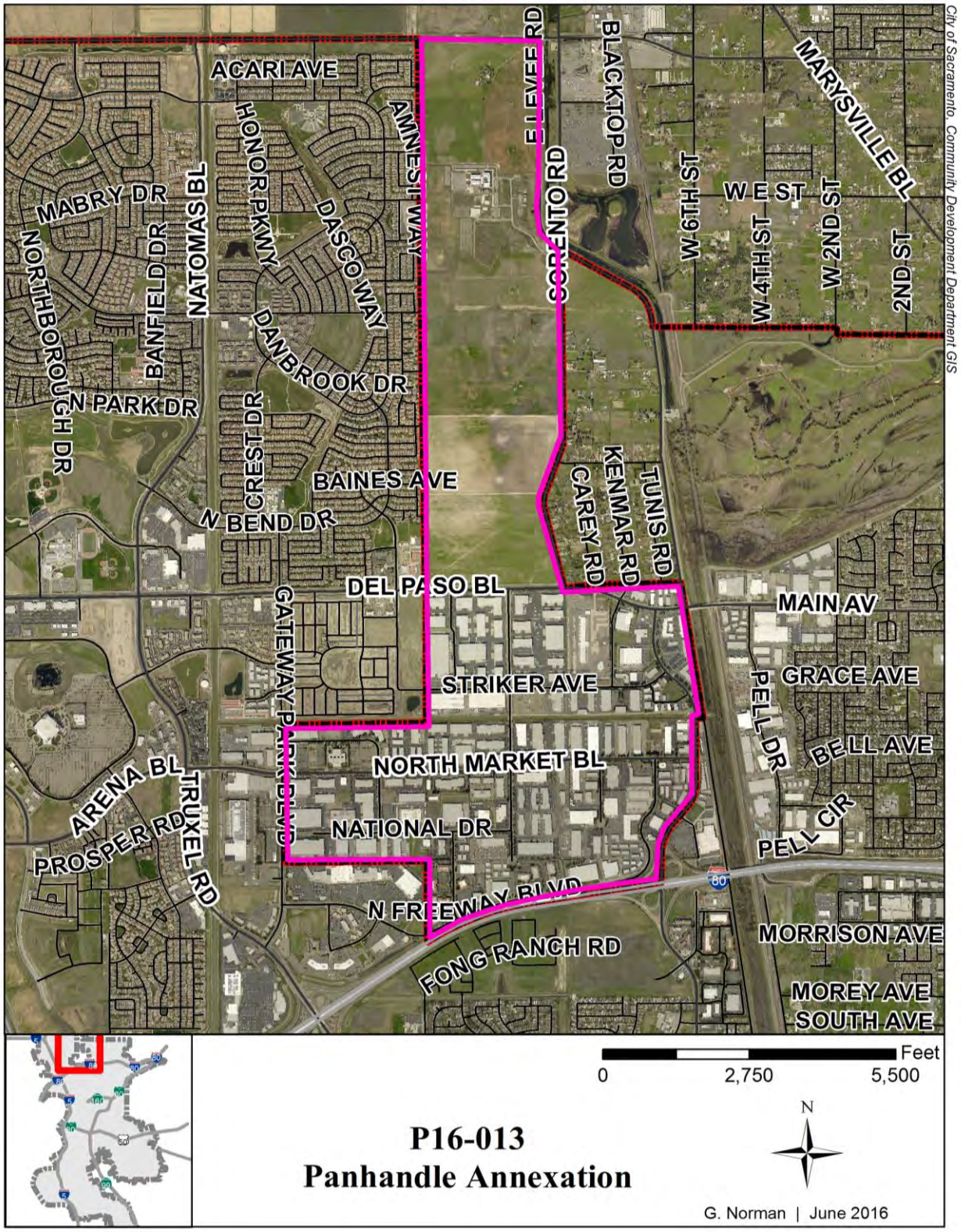
WESTCORE NORTHGATE L P
4435 EASTGATE MALL 300
SAN DIEGO, CA 92121

WESTCORE NORTHGATE LIMITED PARTNERSHIP
4435 EASTGATE MALL 300
SAN DIEGO, CA 92121

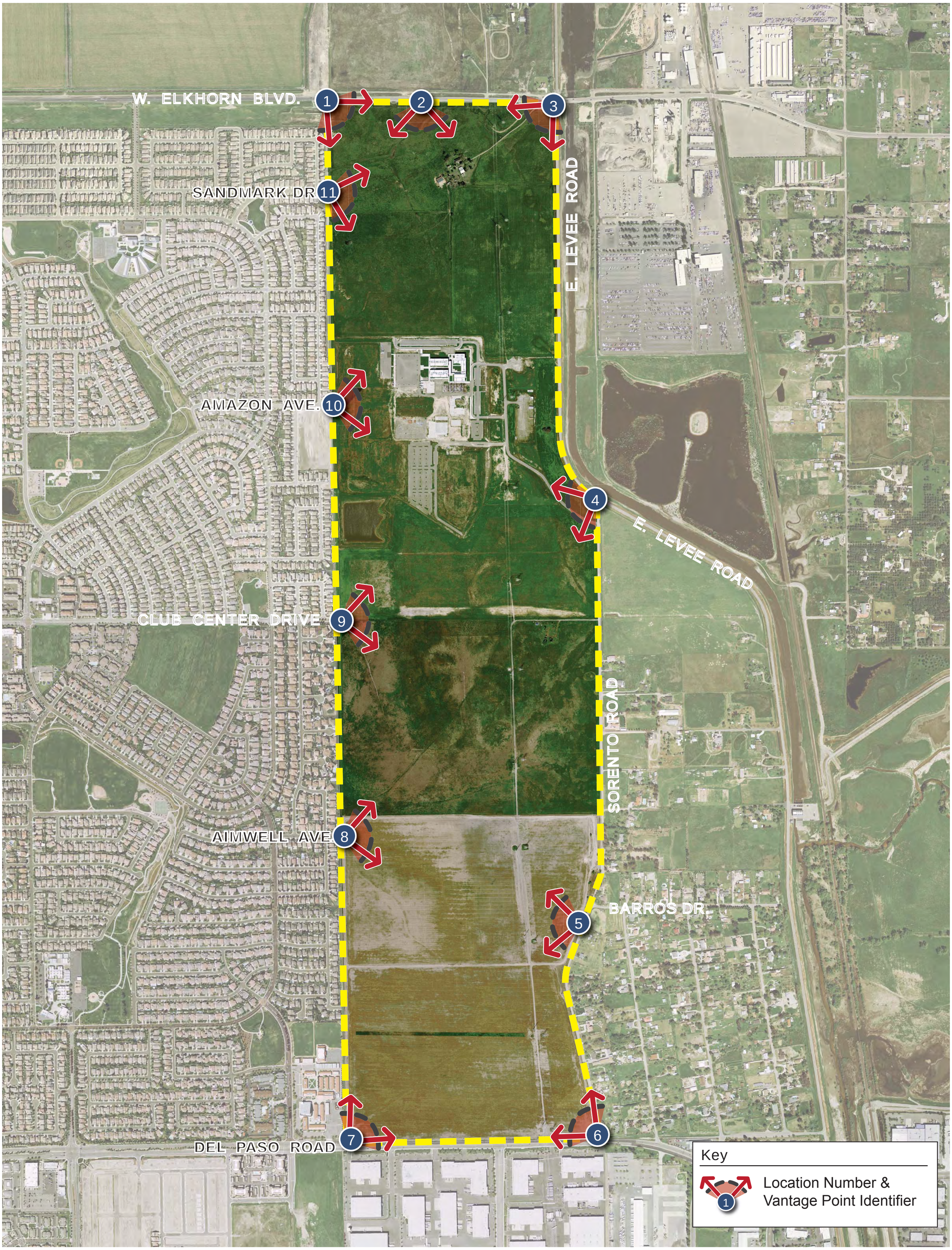
WESTCORE WEST SAC L P
4435 EASTGATE MALL 300
SAN DIEGO, CA 92121

ZETA C FONSECA 2006 REVOCABLE TRUST
PO BOX 1151
WEST SACRAMENT, CA 95691

Attachment 3: Vicinity Map



Attachment 4: Site Photos



MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

NORTH

THE PANHANDLE Site Photo Index

January 29, 2016

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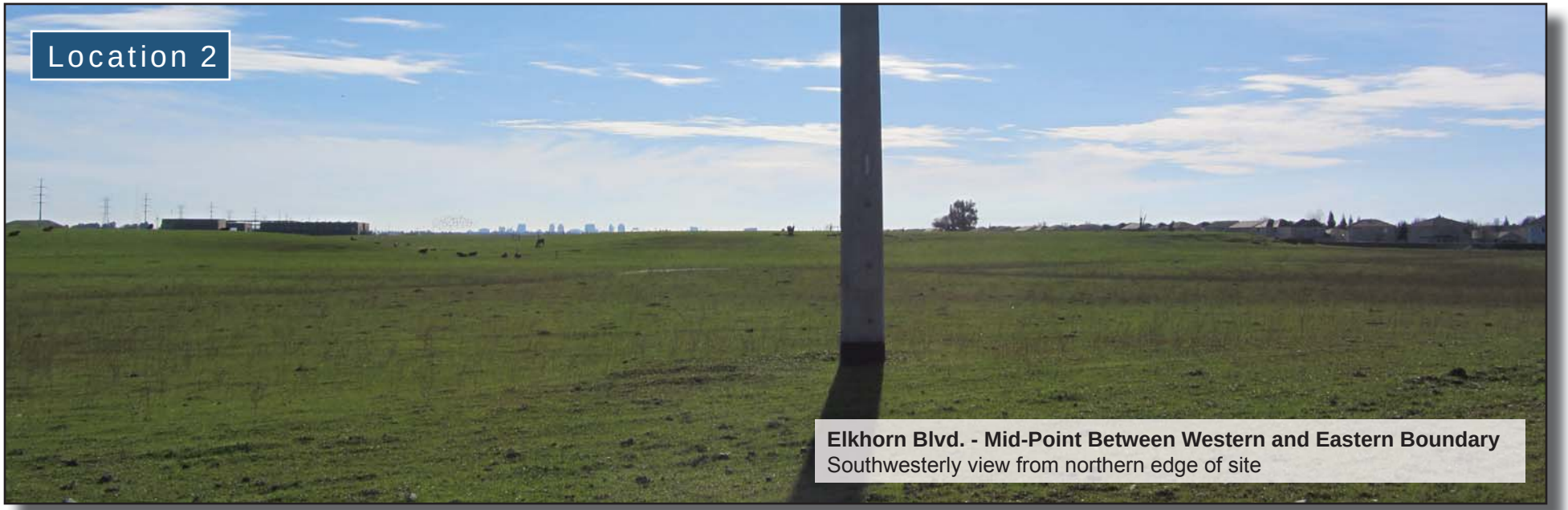
Elkhorn Blvd. - Northwest Corner of Project Boundary
Southward view of site along western edge

Elkhorn Blvd. - Northwest Corner of Project Boundary
Southeasterly view of site

Elkhorn Blvd. - Northwest Corner of Project Boundary
Eastward view along northern edge of site fronting Elkhorn Blvd.

Elkhorn Blvd. - Northwest Corner of Project Boundary
Northeasterly view of properties to the north of Elkhorn Blvd.

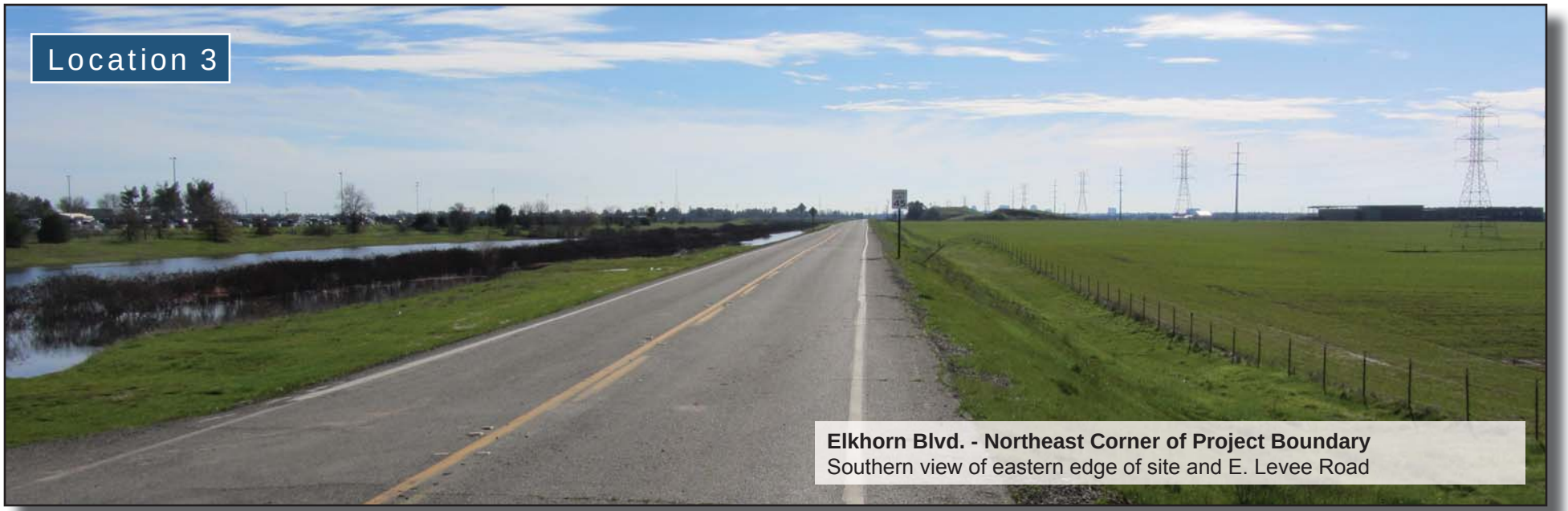
Elkhorn Blvd. - Mid-Point Between Western and Eastern Boundary
Southeasterly view from northern edge of site



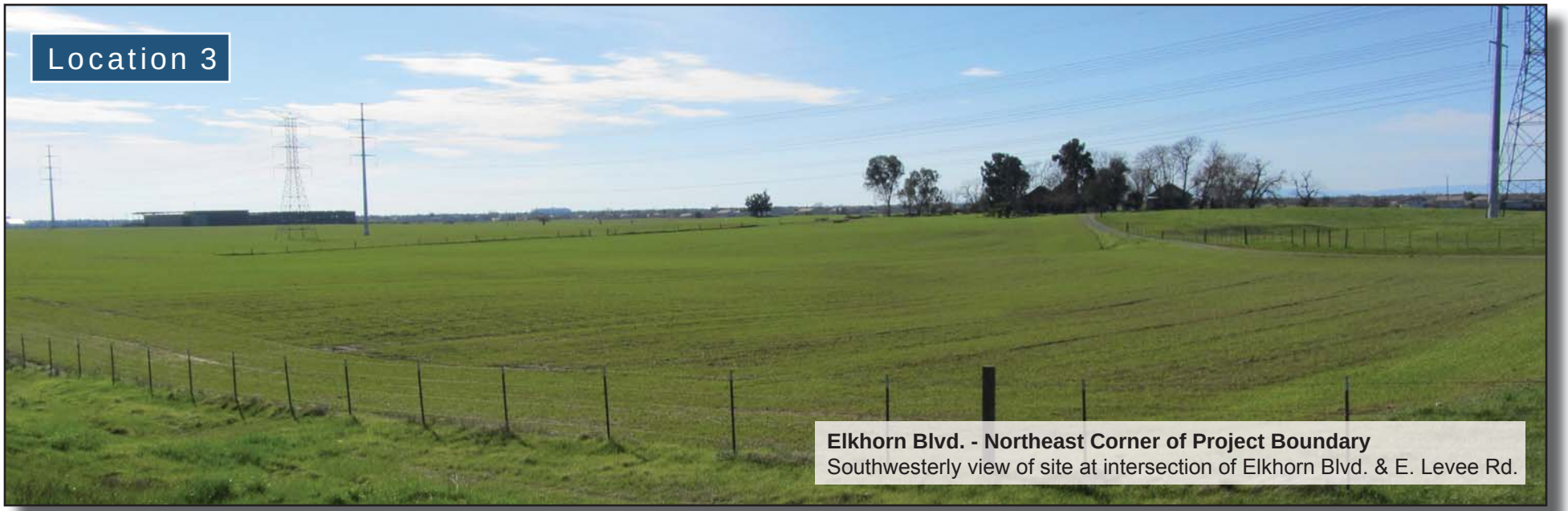
Elkhorn Blvd. - Mid-Point Between Western and Eastern Boundary
Southwesterly view from northern edge of site

Elkhorn Blvd. - Mid-Point Between Western and Eastern Boundary
Westward view from northern edge of site

Elkhorn Blvd. - Mid-Point Between Western and Eastern Boundary
Eastward view along northern edge of site fronting Elkhorn Blvd.



Elkhorn Blvd. - Northeast Corner of Project Boundary
Southern view of eastern edge of site and E. Levee Road



Elkhorn Blvd. - Northeast Corner of Project Boundary
Southwesterly view of site at intersection of Elkhorn Blvd. & E. Levee Rd.

Elkhorn Blvd. - Northeast Corner of Project Boundary
Westward view of site's northern edge from E. Levee Road

Elkhorn Blvd. - Northeast Corner of Project Boundary
Northward view of properties across Elkhorn Blvd. from E. Levee Road

Sorento Road - Northern Terminus at E. Levee Road
Northwesterly view of site and E. Levee Road

Sorento Road - Northern Terminus at E. Levee Road
Westward view of site from intersection of Sorento Rd. and E. Levee Rd.

Sorento Road - Northern Terminus at E. Levee Road
Southwesterly view of site from intersection of Sorento and E. Levee

Sorento Road - Northern Terminus at E. Levee Road
Southern view of site's eastern edge and Sorento Road

Sorento Road - South of Intersection with Barros Drive
Southward view of site and Sorento Road

Sorento Road - South of Intersection with Barros Drive
Northwestern view of site from eastern edge

Sorento Road - South of Intersection with Barros Drive
Northward view of site and Sorento Road

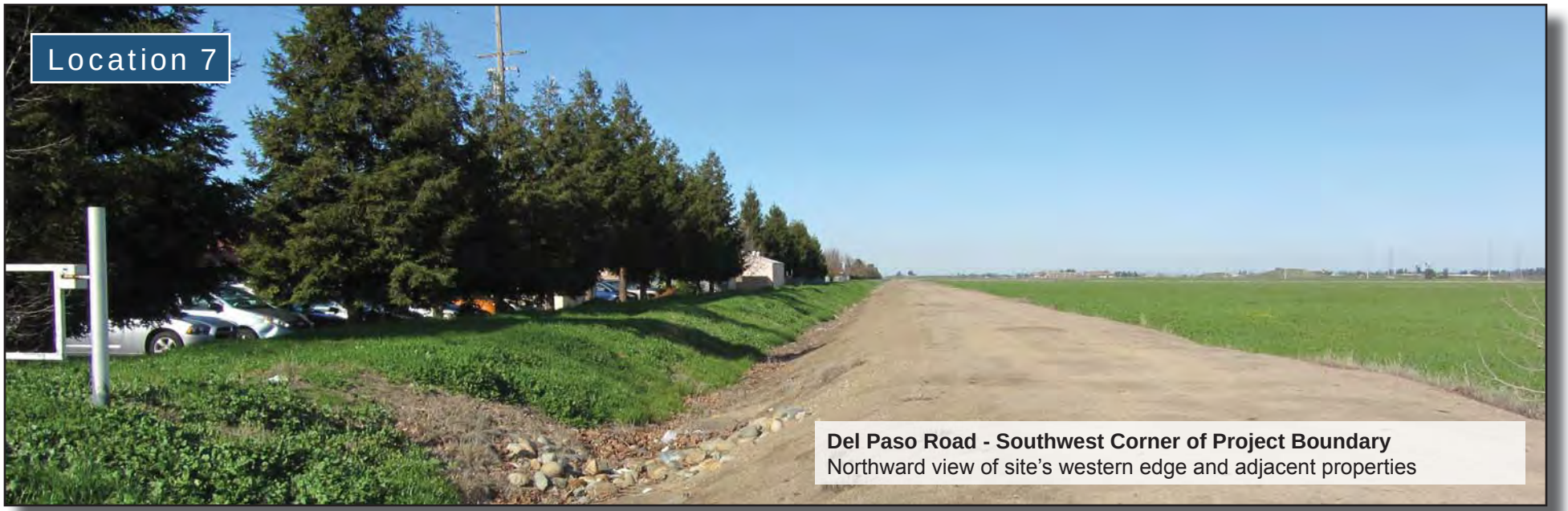
Sorento Road - South of Intersection with Barros Drive
Westward view of rural residential property along east edge of Sorento

Sorento Road - Southeast Corner of Project Boundary
Westward view of site's southern edge and Del Paso Road

Sorento Road - Southeast Corner of Project Boundary
Northwesterly view of site

Sorento Road - Southeast Corner of Project Boundary
Northward view of site's eastern edge and Sorento Road

Sorento Road - Southeast Corner of Project Boundary
Southward view of properties across Del Paso Road from Sorento Road



Del Paso Road - Southwest Corner of Project Boundary
Northward view of site's western edge and adjacent properties

Del Paso Road - Southwest Corner of Project Boundary
Northeasterly view of site

Del Paso Road - Southwest Corner of Project Boundary
Eastward view of site's southern edge and Del Paso Road

Del Paso Road - Southwest Corner of Project Boundary
Westward view of Del Paso Road and adjacent properties

Aimwell Avenue - Terminus at West Edge of Project Boundary
Northeasterly view of site and adjacent properties

Aimwell Avenue - Terminus at West Edge of Project Boundary
Eastward view of site

Aimwell Avenue - Terminus at West Edge of Project Boundary
Southeasterly view of site and adjacent properties

Aimwell Avenue - Terminus at West Edge of Project Boundary
Westward view of adjacent residential neighborhood and Aimwell Ave.

Club Center Drive - Terminus at West Edge of Project Boundary
Northeasterly view of site and adjacent properties

Club Center Drive - Terminus at West Edge of Project Boundary
Eastward view of site

Club Center Drive - Terminus at West Edge of Project Boundary
Southeasterly view of site and adjacent properties

Club Center Drive - Terminus at West Edge of Project Boundary
Westward view of adjacent residential neighborhood and Club Center Dr.

Amazon Avenue - Terminus at West Edge of Project Boundary
Northeasterly view of site and adjacent properties

Amazon Avenue - Terminus at West Edge of Project Boundary
Eastward view of site

Amazon Avenue - Terminus at West Edge of Project Boundary
Southeasterly view of site and adjacent properties

Amazon Avenue - Terminus at West Edge of Project Boundary
Westward view of adjacent residential neighborhood and Amazon Ave.

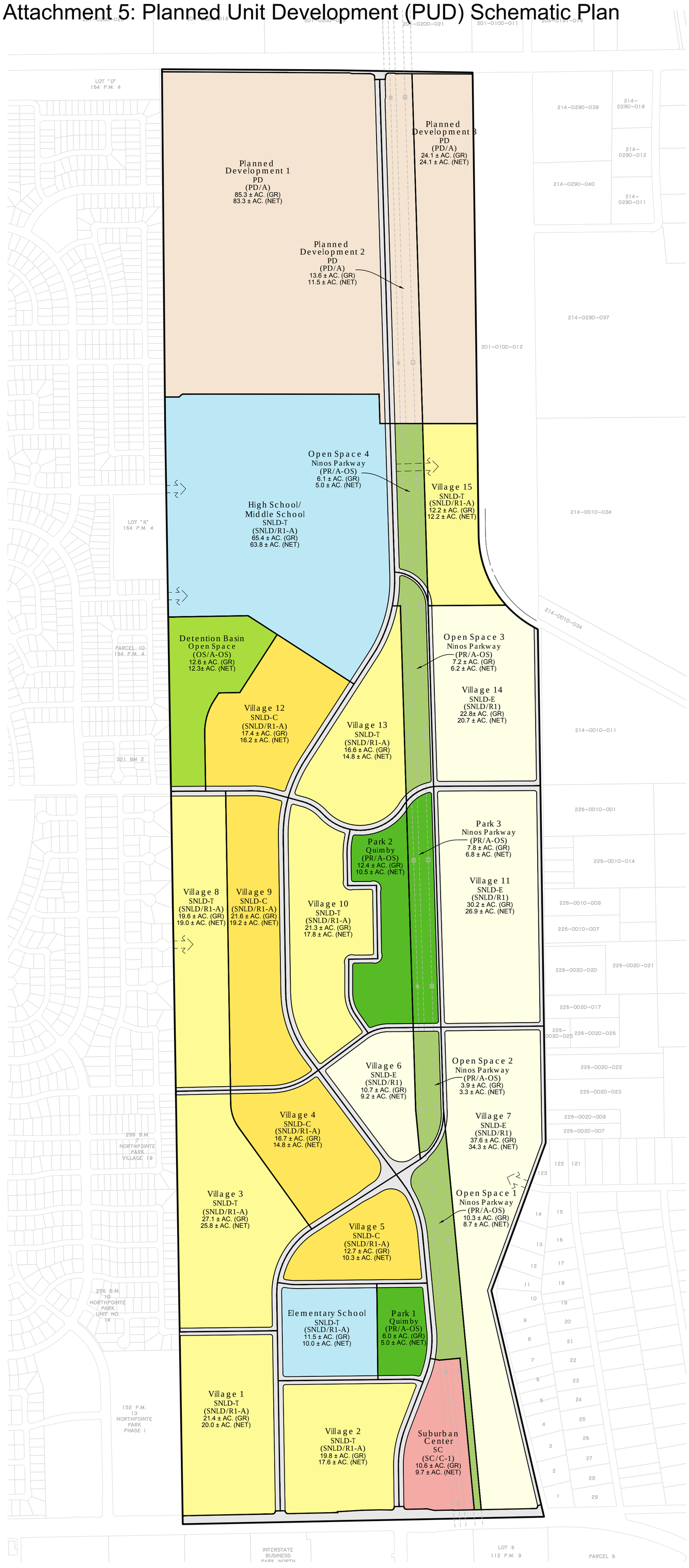
Sandmark Drive - Terminus at West Edge of Project Boundary
Northeasterly view of site and adjacent properties

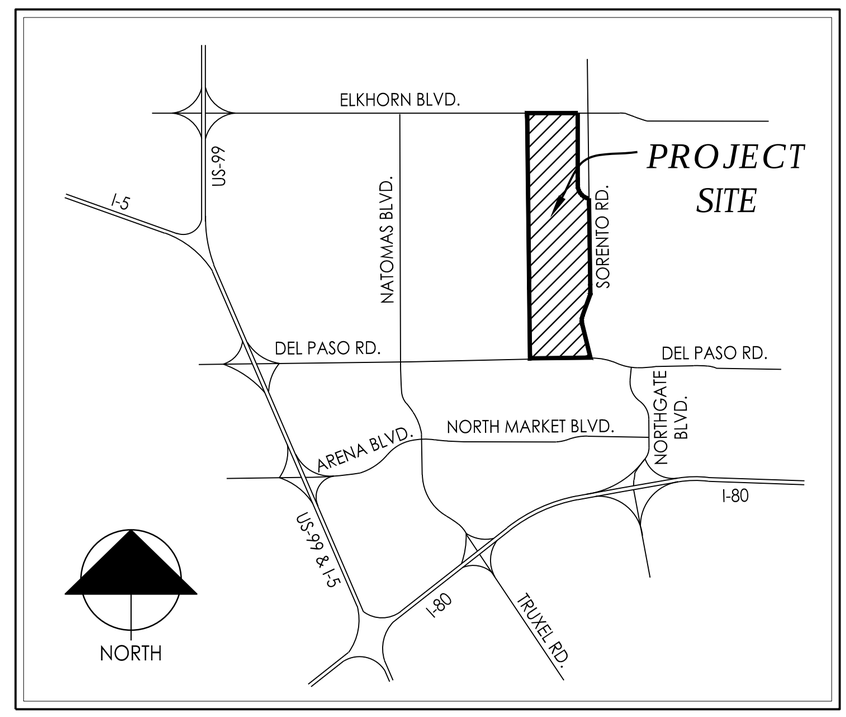
Sandmark Drive - Terminus at West Edge of Project Boundary
Eastward view of site

Sandmark Drive - Terminus at West Edge of Project Boundary
Southeasterly view of site and adjacent properties

Sandmark Drive - Terminus at West Edge of Project Boundary
Westward view of adjacent residential neighborhood and Sandmark Dr.

Attachment 5: Planned Unit Development (PUD) Schematic Plan





Parkland Dedication Summary Table 07-01-16

PANHANDLE Planned Unit Development Plan						2013 parkland dedication formula	
land use	unit type	net acres	avg. net density	dwelling units	% of total residential units	Quimby Formula	parkland dedication rqmt.
SNLD-E	SF	91.1	4.5	409	25%	0.0135	5.52
SNLD-T	SF	127.2	6.0	763	47%	0.0135	10.30
SNLD-C	SF	60.5	7.5	453	28%	0.0135	6.11
TOTAL				1,625			21.94

on-site park deficit	-6.44 acres	(to be paid in in-lieu fee)
parkland provided	22.30	
creditable parkland	15.50	

NOTE: 6.8 AC. OF PARKLAND SHOWN IN PL CORRIDOR SEEKS NO QUIMBY CREDIT

park requirement	5/1000	adjust.	3.5/1000	adjusted	delta
3.5ac/1000 actual parkland	21.94	0.7	15.36 acres on-site	15.50	0.14
1.5/1000 in-lieu fee	21.94	0.3	6.58 acres in-lieu fee	6.44	
			21.94 total rqmt.	21.94	

LAND USE SUMMARY

PUD Land Use*	General Plan	Zoning	Acres (G)	Acres (N)	Units
SNLD-E	SNLD (3-8 du/ac)	R-1	101.3±	91.1±	409±
SNLD-T	SNLD (3-8 du/ac)	R1-A	138.0±	127.2±	763±
SNLD-C	SNLD (3-8 du/ac)	R1-A	68.4±	60.5±	453±
Elementary School	SNLD (3-8 du/ac)	R1-A	11.5±	10.0±	
High School / Middle School	SNLD (3-8 du/ac)	R1-A	65.4±	63.8±	
Park - Quimby	PR	A-OS	18.4±	15.5±	
Park - Ninos Parkway	PR	A-OS	7.8±	6.8±	
Open Space - Ninos Parkway	PR	A-OS	27.5±	23.2±	
Suburban Center	SC	C-1	10.6±	9.7±	
Detention Basin - Open Space	W	A-OS	12.6±	12.3±	
Planned Development (Krumenacher Property)	PD	A	123.0±	118.9±	
Major Roads (Del Paso Rd & Elkhorn Blvd)	varies	varies	4.9±	4.9±	
Collector and Residential Streets	varies	varies	0.0±	45.5±	
		TOTALS	589.4±	589.4±	1,625± DU

*SNLD = Suburban Neighborhood Low Density (Detached Single-Family Residential)
-E = Estate (4.5 du/ac average net density)
-T = Traditional (6.0 du/ac average net density)
-C = Compact (7.5 du/ac average net density)

NORTH

0 200 400 800
SCALE:1"=400'

PUD SCHEMATIC PLAN

PANHANDLE

City of Sacramento *July 01, 2016*

MacKay & Somps
ENGINEERS PLANNERS SURVEYORS

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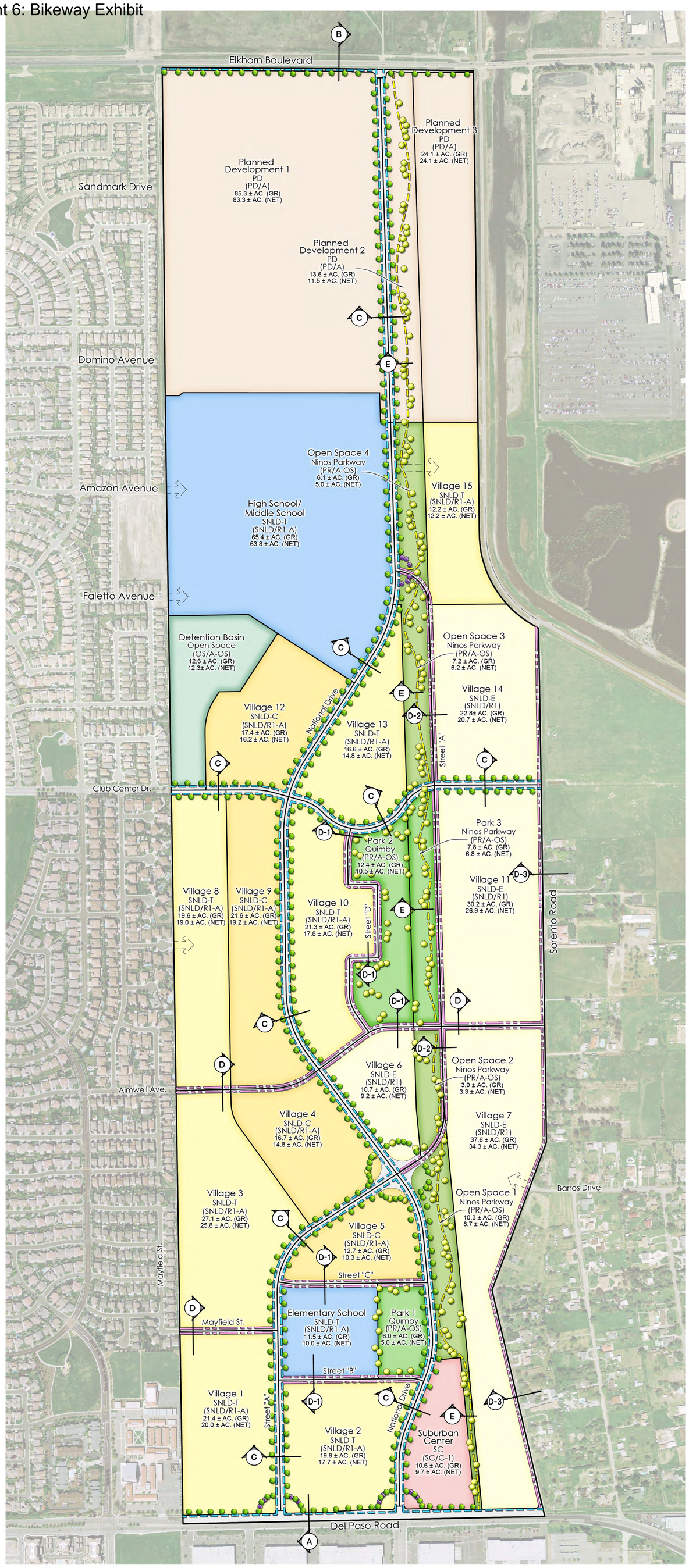
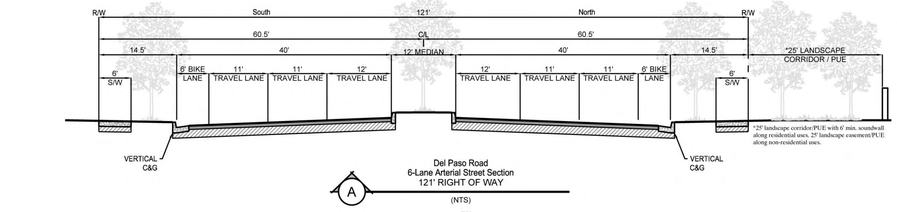
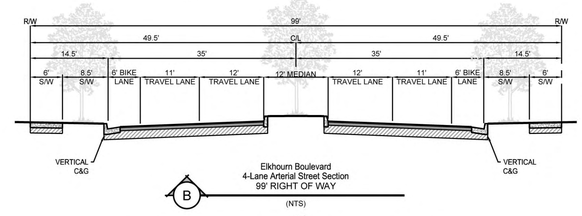
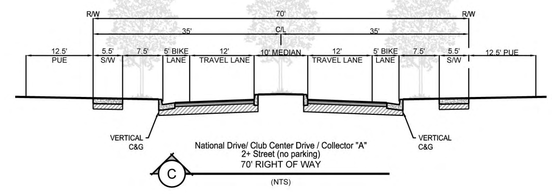
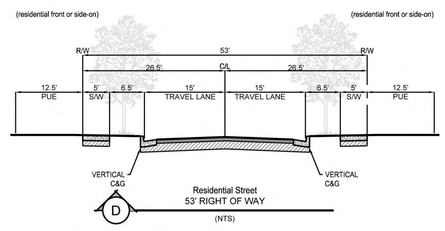
Attachment 6: Bikeway Exhibit

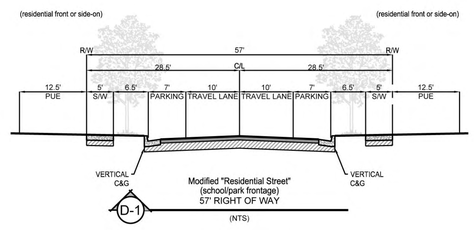


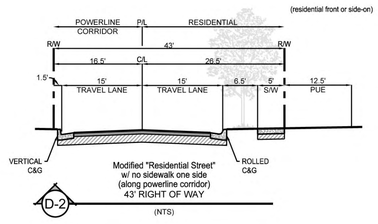


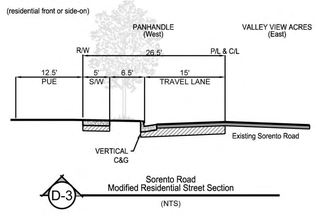


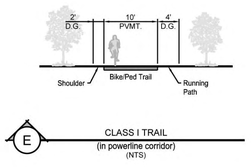


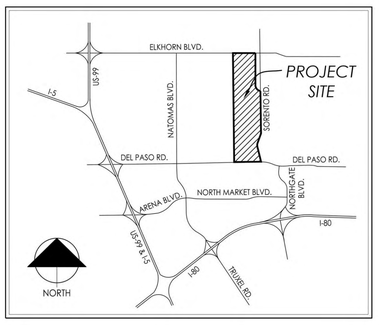












LAND USE SUMMARY

PUD Land Use*	General Plan	Zoning	Acres (G)	Acres (N)	Units
SNLD-E	SNLD (3-8 du/ac)	R-1	101.3±	91.1±	409±
SNLD-T	SNLD (3-8 du/ac)	R1-A	138.0±	127.2±	763±
SNLD-C	SNLD (3-8 du/ac)	R1-A	68.4±	60.5±	453±
Elementary School	SNLD (3-8 du/ac)	R1-A	11.5±	10.0±	
High School / Middle School	SNLD (3-8 du/ac)	R1-A	65.4±	63.8±	
Park - Quimby	PR	A-OS	18.4±	15.5±	
Park - Ninos Parkway	PR	A-OS	7.8±	6.8±	
Open Space - Ninos Parkway	PR	A-OS	27.5±	23.2±	
Suburban Center	SC	C-1	10.6±	9.7±	
Detention Basin - Open Space	W	A-OS	12.6±	12.3±	
Planned Development (Krumenacher Property)	PD	A	123.0±	118.9±	
Major Roads (Del Paso Rd & Elkhorn Blvd)	varies	varies	4.9±	4.9±	
Collector and Residential Streets	varies	varies	0.0±	45.5±	
		TOTALS	589.4±	589.4±	1,625± DU

*SNLD = Suburban Neighborhood Low Density (Detached Single-Family Residential)
-E = Estate (4.5 du/ac average net density)
-T = Traditional (6.0 du/ac average net density)
-C = Compact (7.5 du/ac average net density)

BIKE LANE CLASSIFICATION

CLASS I BIKE LANE
CLASS II BIKE LANE
CLASS III BIKE LANE

NORTH
0 300 600
SCALE: 1"=300'

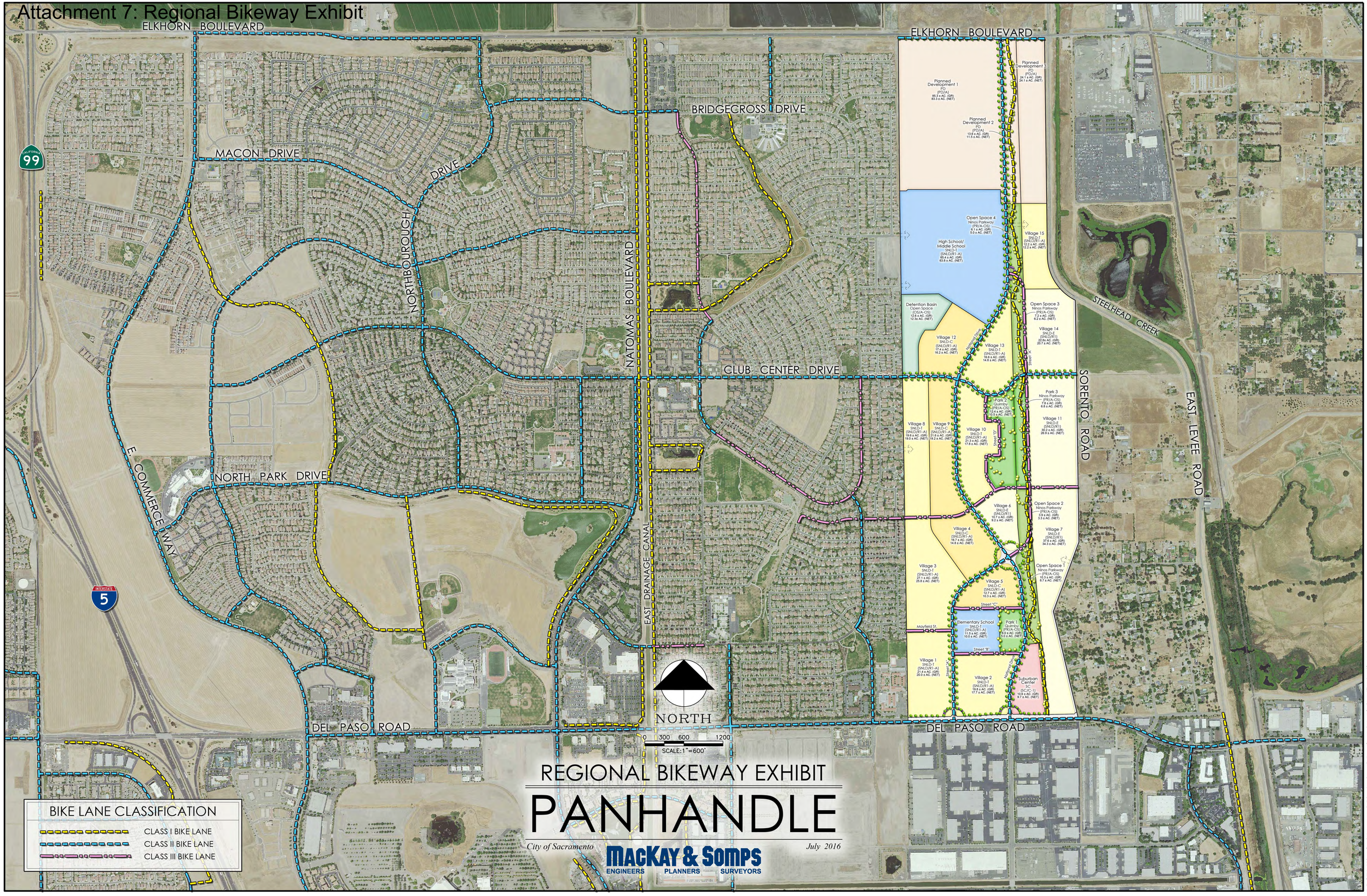
BIKEWAY EXHIBIT

PANHANDLE

City of Sacramento *July 30, 2016*

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

Attachment 7: Regional Bikeway Exhibit



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Attachment 8: General Plan Amendment Exhibit

Existing Sacramento County General Plan

Proposed City of Sacramento General Plan

LAND USE SUMMARY			
General Plan Designation	Existing Acres County	Proposed Acres City	Delta
Agricultural Cropland	589.4±	0	(589.4)
SNLD	0	310.9±	310.0
SNLD (School)	0	76.9±	76.9
SC	0	11.5±	11.5
PR	0	53.6±	53.6
OS	0	12.6±	12.6
PD	0	123.9±	123.9
TOTAL	589.4±	589.4±	0

NORTH

0 500 1000 2000

SCALE:1"=1000'

GENERAL PLAN AMENDMENT

PANHANDLE

City of Sacramento *July 01, 2016*

MacKay & Somps
ENGINEERS PLANNERS SURVEYORS

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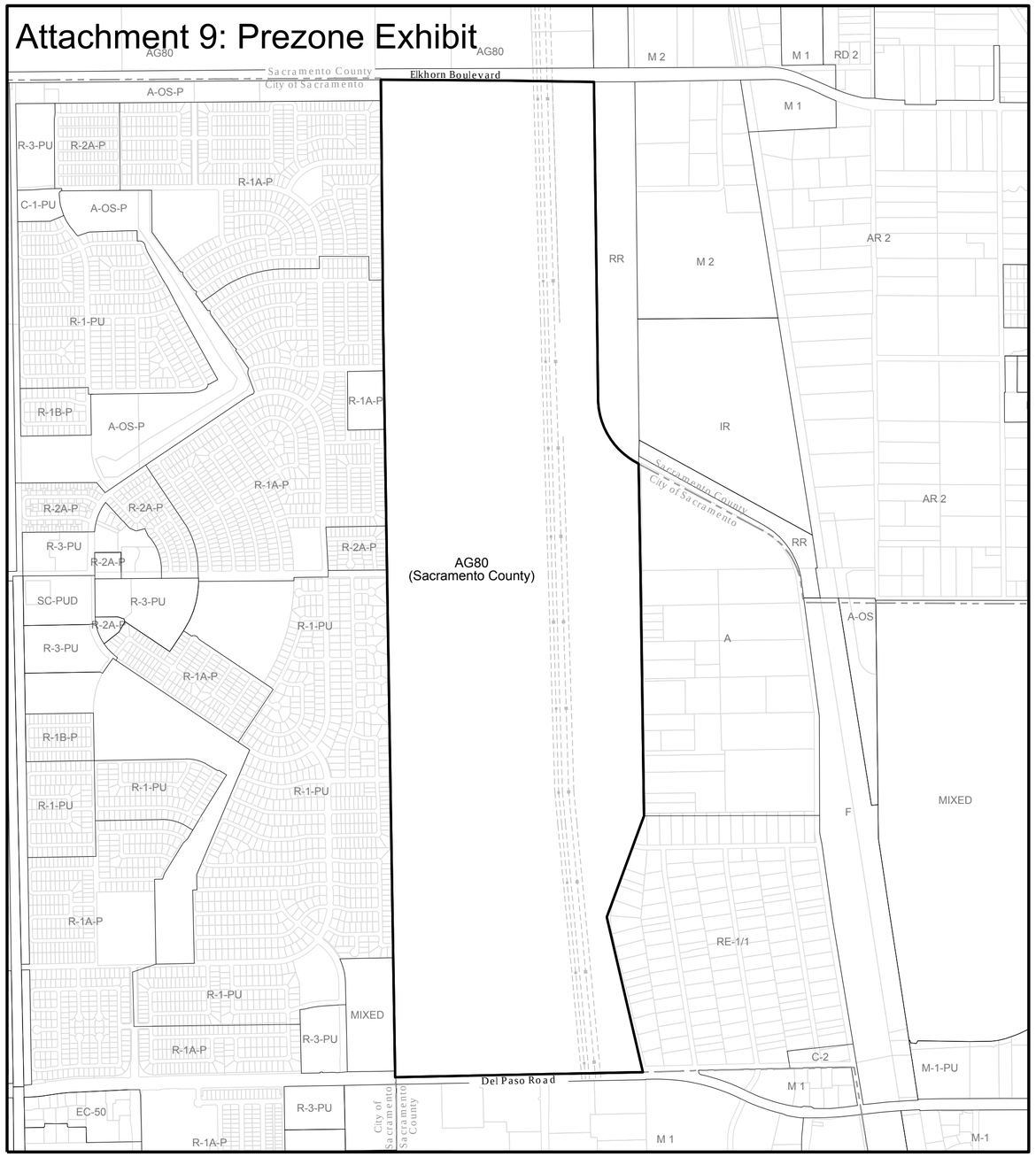
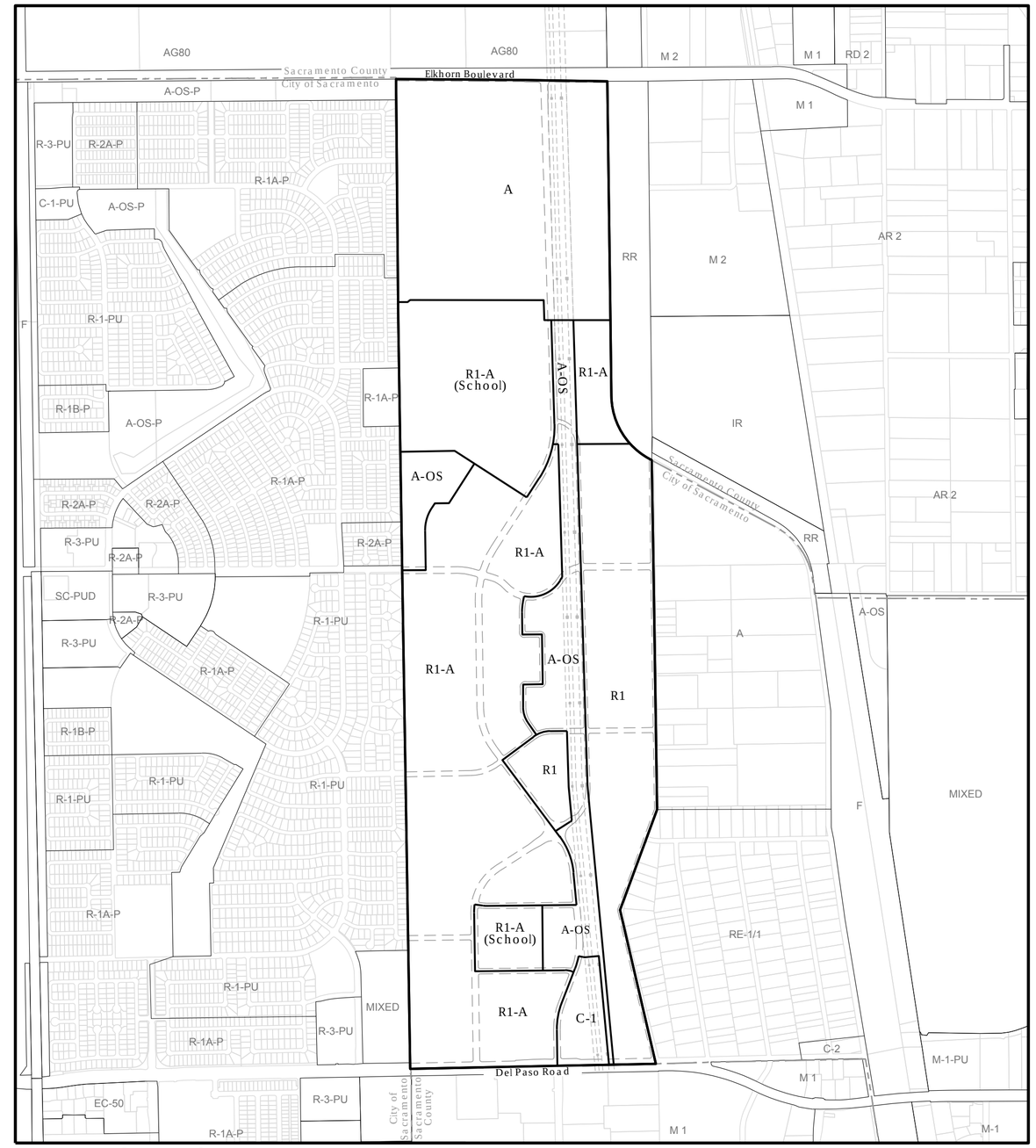
Attachment 9: Prezone Exhibit

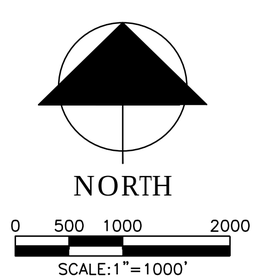


Existing Sacramento County Zoning



Proposed City of Sacramento Zoning

LAND USE SUMMARY			
Zoning Designation	Existing Acres County	Proposed Acres City	Delta
AG 80	589.4±	0	(589.4)
A	0	123.9±	123.9
A-OS	0	66.2±	66.2
C-1	0	11.5±	11.5
R1	0	101.8±	101.8
R1-A	0	209.1±	209.1
R1-A (School)	0	76.9±	76.9
TOTAL	589.4±	589.4±	0



PRE-ZONE EXHIBIT

PANHANDLE

City of Sacramento *July 01, 2016*

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

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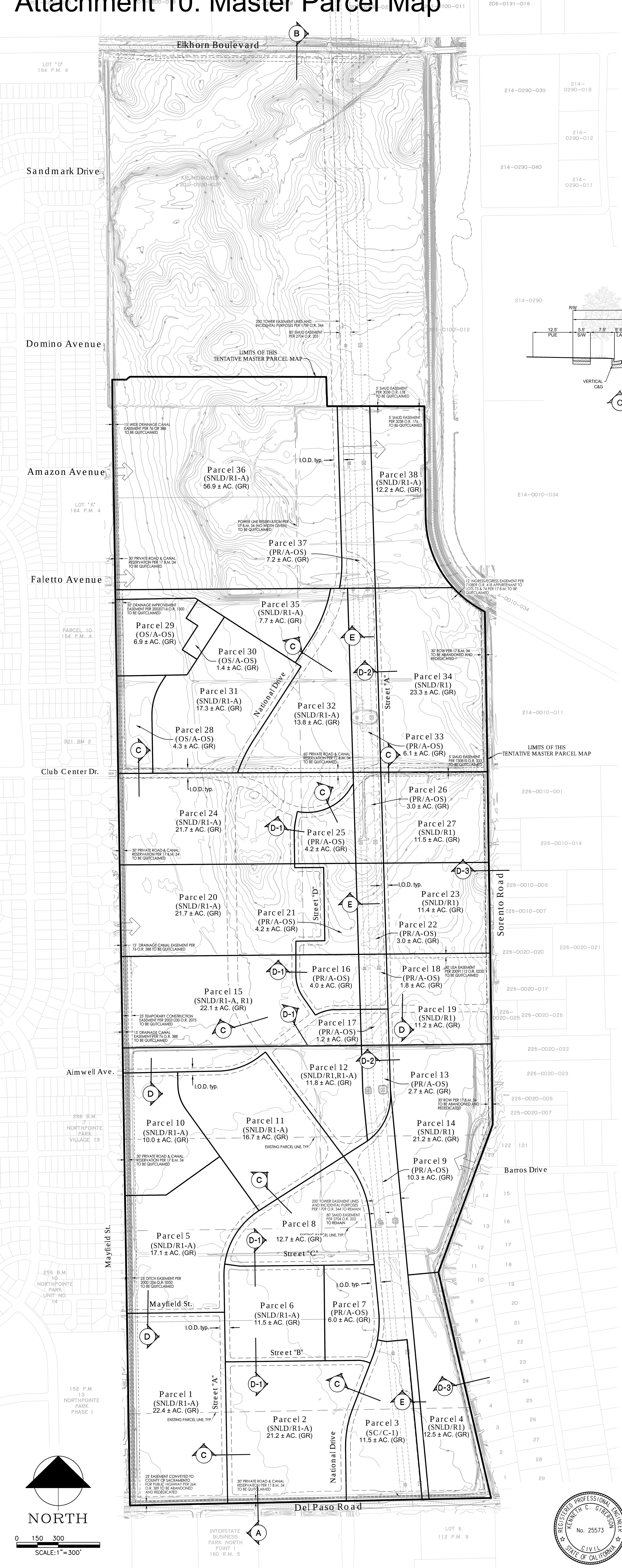
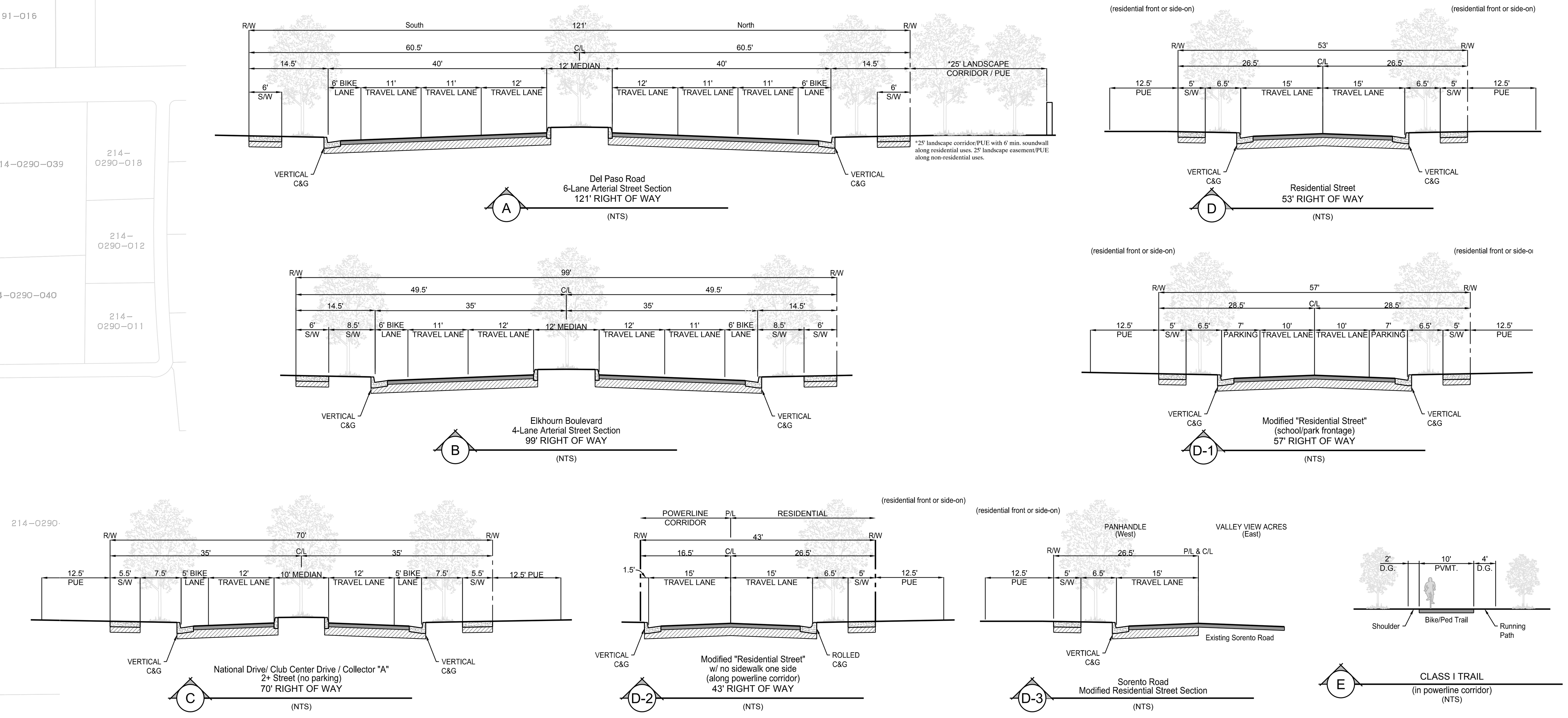
Attachment 10: Master Parcel Map





PROPERTY DESCRIPTION

PARCEL ONE:
Lots 75 and 76, as shown on the "Plat of Natomas East Side Subdivision", recorded in Book 17 of Maps, Map no. 34, records of said county. Excepting therefrom: all that portion described in deed to the Grant Union High School District, a California Public School District, recorded September 21, 2007 in Book 20070921, page 558 of official records thereof.

PARCEL TWO:
The South one-half of lots no. 82 and 83 as said lots are delineated on that certain map entitled "Natomas East Side Subdivision", filed in the Office of the County Recorder of the County of Sacramento on January 24, 1924 in Book 17 of Maps, map no. 34.

PARCEL THREE:
The North one-half of lots 82 and 83 as shown on the "Plat of Natomas East Side Subdivision", filed January 18, 1924 in Book 17 of Maps, map no. 34, Sacramento County Records. Excepting therefrom the East 660 feet thereof.

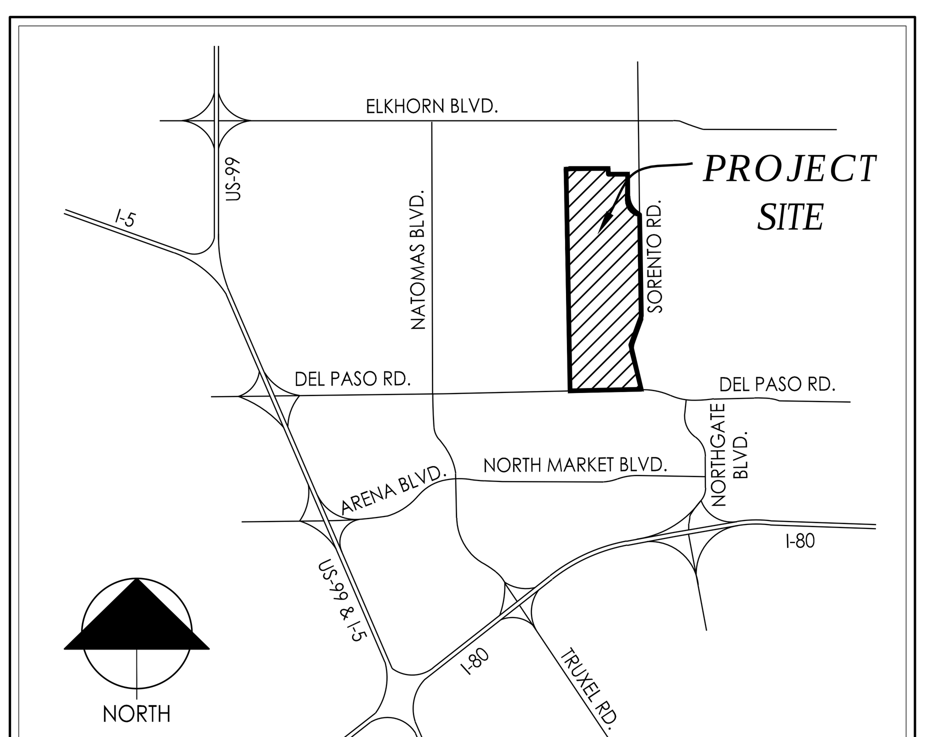
PARCEL FOUR:
The East 660 feet of the North one-half of lot 83, as shown on the "Plat if Natomas East Side Subdivision", filed January 18, 1924 in Book 17 of Maps, map no. 34, Sacramento County records.

PARCEL FIVE:
Lot 87, of Natomas East Side Subdivision, according to the official plat thereof, filed in the Office of the Recorder of Sacramento County, on January 18, 1924 in Book 17 of Maps, map no. 34.

PARCEL SIX:
Lots 88, 92, 93, 97 and 98 as shown on the official "Map of Natomas East Side Subdivision", filed in the Office of the County Recorder of Sacramento County, January 18, 1924, in Book 17 of Maps, map no. 34.

LAND USE SUMMARY

Parcel	Use	General Plan	Zoning	Acres (G)
Parcel 1	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	22.4±
Parcel 2	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	21.2±
Parcel 3	SUBURBAN CENTER	SC	C-1	11.5
Parcel 4	SINGLE FAMILY RESIDENTIAL	SNLD	R-1	12.5
Parcel 5	SINGLE FAMILY RESIDENTIAL	SNLD	R-1A	17.1±
Parcel 6	ELEMENTARY SCHOOL	SNLD	R-1A	11.4±
Parcel 7	PARK	PR	A-OS	6.3±
Parcel 8	SINGLE FAMILY RESIDENTIAL	SNLD	R-1A	11.9±
Parcel 9	OPEN SPACE	PR	A-OS	10.8±
Parcel 10	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	10.0±
Parcel 11	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	16.7±
Parcel 12	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A, R1	11.8±
Parcel 13	OPEN SPACE	PR	A-OS	2.7±
Parcel 14	SINGLE FAMILY RESIDENTIAL	SNLD	R1	21.2±
Parcel 15	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A, R-1	22.1±
Parcel 16	PARK	PR	A-OS	4.0
Parcel 17	OPEN SPACE	PR	A-OS	1.2±
Parcel 18	PARK	PR	A-OS	1.8±
Parcel 19	SINGLE FAMILY RESIDENTIAL	SNLD	R1	11.2±
Parcel 20	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	21.7±
Parcel 21	PARK	PR	A-OS	4.2±
Parcel 22	PARK	PR	A-OS	3.0±
Parcel 23	SINGLE FAMILY RESIDENTIAL	SNLD	R1	11.4±
Parcel 24	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	21.7±
Parcel 25	PARK	PR	A-OS	4.2±
Parcel 26	PARK	PR	A-OS	3.0±
Parcel 27	SINGLE FAMILY RESIDENTIAL	SNLD	R1	11.5±
Parcel 28	DETENTION BASIN	OS	A-OS	4.3±
Parcel 29	DETENTION BASIN	OS	A-OS	6.9±
Parcel 30	DETENTION BASIN	OS	A-OS	1.4±
Parcel 31	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	17.3±
Parcel 32	SINGLE FAMILY RESIDENTIAL	SNLD	R-1A	13.5±
Parcel 33	OPEN SPACE	PR	A-OS	6.1±
Parcel 34	SINGLE FAMILY RESIDENTIAL	SNLD	R1	23.4±
Parcel 35	HIGH SCHOOL/MIDDLE SCHOOL	SNLD	R1-A	7.7±
Parcel 36	HIGH SCHOOL/MIDDLE SCHOOL	SNLD	R1-A	56.4±
Parcel 37	OPEN SPACE	PR	A-OS	7.7±
Parcel 38	SINGLE FAMILY RESIDENTIAL	SNLD	R1-A	12.2±
			TOTAL	465.4±



TENTATIVE MASTER PARCEL MAP INFORMATION

OWNERSHIP INFORMATION:

Carl Brothers, Successor Trustee of the Ernest G. Brothers 1993 Trust
P.O. Box 2756
Orangevale, Ca 95662
ATTN.: Carl Brothers (916) 257-2193

Tasso Peter Cononelos
4300 D St.
Sacramento, Ca 95819
(916) 747-6264

BD Properties, LLC.
1082 Sunrise Avenue, Suite 100
Roseville, Ca 95661
ATTN.: Steven W. Decou / Orin Bennett (916) 783-4100

Twin Rivers Unified School District
5115 Dudley Blvd.
McClellan, Ca 95652
ATTN.: Bill McGuire (916) 566-1600

Moontide LLC.
32932 Pacific Coast Highway # 14-357
Monarch Beach, Ca 92629
ATTN.: J Rise Richter (949) 499-6443

Beachfields LLC
32932 Pacific Coast Highway # 14-357
Monarch Beach, Ca 92629
ATTN.: J Rise Richter (949) 499-6443

APPLICANT:	The Hodgson Company 2514 Chinatown Alley Sacramento, Ca 95816 ATTN.: John Hodgson (916) 548-8554 jhodgson@thehodgsoncompany.com
PLANNER & ENGINEER:	MacKay & Somps Civil Engineers, Inc. 1552 Eureka Road, Suite 100 Roseville, CA 95661 ATTN.: Donna Pasquantonio-Leslie (916) 773-1189
ASSESSORS PARCEL NUMBER:	201-0320-018, 201-0320-019, 201-0320-024 201-0540-071, 201-0540-072, 201-0540-073 225-0500-020, 225-0500-021, 225-0500-016 225-0500-003, 225-0050-022, 226-0600-021
SITE ACREAGE:	465.4± AC.
EXISTING GENERAL PLAN DESIGNATION:	AG CROP
PROPOSED GENERAL PLAN DESIGNATION:	SNLD, PR, W, PD, SC
EXISTING ZONING DESIGNATION	AG 80
PROPOSED ZONING DESIGNATION:	R1, R1-A, A-OS, A, C-1
NUMBER OF LOTS:	38: Total Lots 19: Single Family Residential Lots 7: Park Lots 5: Open Space Lots 3: Detention Basin Lots 2: High School / Middle School Lots 1: Elementary School Lot 1: Suburban Center Lot

SERVICE PROVIDERS:

PARKS & RECREATION	City of Sacramento
SCHOOL DISTRICT	Twin Rivers Unified School District
FIRE DISTRICT	City of Sacramento
POLICE PROTECTION	City of Sacramento
SANITARY SEWER	Sacramento Regional Sanitation District
DOMESTIC WATER	City of Sacramento
STORM DRAIN	City of Sacramento
ELECTRICITY	SMUD
GAS	Pacific Gas & Electric Company
STORM DRAIN	City of Sacramento

NOTES

1. Lot dimensions and acreages are approximate. Actual lot dimensions will be established with the Final Map, subject to the approval of the City of Sacramento.
2. Lot lines and lot areas may be adjusted at the time of the Final Map(s) provided no additional lots are created, subject to the approval of the City of Sacramento. Flexibility in parcel configuration as shown hereon is allowed provided the new configuration is in substantial compliance, subject to the approval of the City of Sacramento.
3. The Final Mapping and subsequent development of lots may be phased. Phasing is to be consistent with the Development Agreement.
4. Pursuant to Government Code Section 66456.1, the subdivider may file multiple Final Maps based upon this Tentative Master Parcel Map. The filing of a Final Map on a portion of this Tentative Map shall not invalidate any part of this Tentative Map.
5. Lot numbering is for identification purposes only and does not indicate phasing or order of development. Ultimate development phasing shall be orderly and will be determined at Final Map and/or Improvement Plan stage.
6. Pursuant to California Government Code Section 66499.20.2, the land shown hereon shall be merged and resubdivided without reversion to acreage and shall constitute abandonment of the public easements listed.
   a. 25' Public Highway easement to the County of Sacramento per 264 O.R. 389
   b. 30' Right-of-Way easement to the County of Sacramento per 17 B.M. 34 (Sorento Road)
7. The following easements shall be quitclaimed
   a. 60' Private road & canal reservation per 17 B.M. 34
   b. 30' Private road & canal reservation per 17 B.M. 34
   c. 25' Ditch easement per 20001206 O.R. 0350
   d. 15' Drainage canal easement per 76 O.R. 388
   e. 25' Temporary construction easement per 20021230 O.R. 2075
   f. 50' Drainage improvement easement per 20020716 O.R. 1300
   g. 5' SMUD easement per 3038 O.R. 176
   h. 5' SMUD easement per 3038 O.R. 178
   i. 12' Ingress/egress easement per 710809 O.R. 418 appurtenant to lots 73 & 74 per 17 B.M. 34
   j. 5' SMUD easement per 730810 O.R. 233
   k. 30' USA easement per 20091112 O.R. 0232
8. Additional easements to accommodate new public utility improvements, access required for lot development, or other similar mapping requirements needed to accomplish the final design may be added prior to the Final Map based on this Master Tentative Parcel Map.
9. A public utility easement will be located adjacent to all rights-of-way, or as approved by the City Engineer.

TENTATIVE MASTER PARCEL MAP

PANHANDLE

City of Sacramento *July 01, 2016*

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

27141.00

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Attachment 11: General Plan and North Natomas Community Plan Policies

General Plan Policies:

ERC 1.1.2 Locational Criteria. The City shall continue to assist in reserving school sites based on each school district's criteria and the school siting guidelines of the California Department of Education and on the City's following location criteria:

- Locate elementary schools on sites that are safely and conveniently accessible, and away from heavy traffic, excessive noise, and incompatible land uses.
- Locate school sites centrally with respect to their planned attendance areas.
- Locate schools in areas where established and/or planned walkways, bicycle paths, or greenways link schools with surrounding uses.
- Locate, plan, and design new schools to be compatible with adjacent uses.

ERC 2.2.1 Parks and Recreation Master Plan. The City shall maintain and implement a Parks and Recreation Master Plan to carry out the goals and policies of this General Plan. All new development will be consistent with the applicable provisions of the Parks and Recreation Master Plan.

ERC 2.2.3 Service Level Radius. The City shall strive to provide accessible public park or recreational open space within one-half mile of all residences.

ERC 2.2.17 Joint-Use Facilities Co-located. The City shall support the development of parks and recreation facilities co-located with public and private facilities (e.g., schools, libraries, and detention basins).

LU 1.1.8 Annexation Prior to City Services. Prior to the provision of City services to unincorporated areas, the City shall require those unincorporated properties be annexed into the City, or that a conditional service agreement be executed agreeing to annex when deemed appropriate by the City.

LU 2.1.1 Neighborhoods as a Basic Unit. Recognizing that Sacramento's neighborhoods are the basic living environments that make-up the city's urban fabric, the City shall strive through its planning and urban design to preserve and enhance their distinctiveness, identity, and livability from the downtown core to well integrated new growth areas.

LU 2.1.2 Protect Established Neighborhoods. The City shall preserve, protect, and enhance established neighborhoods by providing sensitive transitions between these neighborhoods and adjoining areas, and by requiring new development, both private and public, to respect and respond to those existing physical characteristics buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood.

LU 2.1.8 Neighborhood Enhancement. The City shall promote infill development, reuse, rehabilitation, and reuse efforts that contribute positively (e.g., architectural design) to existing neighborhoods and surrounding areas.

LU 2.3.1 Open Space System. The City shall strive to create a comprehensive and integrated system of parks, open space, and urban forests that frames and complements the city's urbanized areas.

LU 2.3.2 Adjacent Development. The City shall require that development adjacent to parks and open spaces complements and benefits from this proximity by:

- Preserving physical and visual access
- Requiring development to front, rather than back, onto these areas Using single-loaded streets along the edge to define and accommodate public access
- Providing pedestrian and multi-use trails
- Augmenting nonaccessible habitat areas with adjoining functional parkland
- Extending streets perpendicular to parks and open space and not closing off visual and/or physical access with development
- Addressing the operations, maintenance, and public safety needs of the Local Maintaining Agencies

LU 2.4.2 Responsiveness to Context. The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers.

LU 2.5.1 Connected Neighborhoods, Corridors, and Centers. The City shall require that new development, both infill and greenfield, maximizes connections and minimizes barriers between neighborhoods corridors, and centers within the city.

LU 2.7.7 Buildings that Engage the Street. The City shall require buildings to be oriented to and actively engage and complete the public realm through such features as building orientation, build-to and setback lines, façade articulation, ground-floor transparency, and location of parking.

LU 4.1.1 Mixed-Use Neighborhoods. The City shall require neighborhood design that incorporates a compatible and complementary mix of residential and nonresidential (e.g., retail, parks, schools) uses that address the basic daily needs of residents and employees.

LU 4.1.8 Connections to Open Space. The City shall ensure that new and existing neighborhoods contain a diverse mix of parks and open spaces that are connected by trails, bikeways, and other open space networks and are within easy walking distance of residents

LU 4.5.1 New Growth Neighborhoods. The City shall ensure that new residential growth areas include neighborhoods that maintain a mix of residential types and

densities, and that the residential mix will provide appropriate transitional features that integrate the area with adjacent existing neighborhoods and development.

LU 4.5.4 New Neighborhood Core. The City shall encourage all parts of new neighborhoods to be within ½-mile of a central gathering place that is located on a collector or minor arterial and that includes public space, shopping areas, access to transit, and community-supportive facilities and services.

LU 9.1.2 New Parks and Open Spaces. The City shall ensure that sufficient parks, open space, water corridor parkways, and trails are planned throughout the city, to ensure adequate facilities are available to existing and future residents.

LU 10.1.2 Comprehensive Planning for Special Study Areas. The City shall require that Special Study Areas be planned comprehensively prior to annexation and development, and subject to the following processes:

- Amendment of the General Plan, including completion of a new Community Plan chapter where applicable.
- Approval of a Sphere of Influence amendment by the LAFCo prior to annexation request where applicable. (Sacramento LAFCo local policies discourage concurrent Sphere of Influence Amendment and Annexation).
- Completion and adoption of Master Plans, Specific Plans, pre-zoning, and Development Agreements, as appropriate, in order to establish the timing, phasing, costs, and responsible parties associated with development in the area to be annexed.

M 1.3.1 Grid Network. To promote efficient travel for all modes, the City shall require all new residential, commercial, or mixed-use development that proposes or is required to construct or extend streets to develop a transportation network that is well-connected, both internally and to off-site networks preferably with a grid or modified gridform. The City shall require private developments to provide internal complete streets (see Goal M.4.2) that connect to the existing roadway system.

M 2.1.3 Streetscape Design. The City shall require that pedestrian-oriented streets be designed to provide a pleasant environment for walking and other desirable uses of public space, including such elements as shade trees; plantings; well-designed benches, trash receptacles, news racks, and other furniture; pedestrian-scaled lighting fixtures; wayfinding signage; integrated transit shelters; public art; and other amenities.

M 2.1.4 Cohesive and Continuous Network. The City shall develop a pedestrian network of public sidewalks, street crossings, and other pedestrian paths that makes walking a convenient and safe way to travel citywide. The network should include a dense pattern of routes in pedestrian-oriented areas such as the Central City and include wayfinding where appropriate.

M 2.1.5 Housing and Destination Connections. The City shall require new subdivisions and large-scale developments to include safe pedestrian walkways that provide direct links between streets and major destinations such as transit stops and stations, schools, parks, and shopping centers.

North Natomas Community Plan Policies:

NN.LU 1.1 PUD Designation Required. All development in the plan area shall be designated as a Planned Unit Development (PUD) and shall include Schematic Plan and Development Guidelines for the PUD.

NN.LU 1.6 Neighborhoods–Schools. The City shall locate an elementary school as the focal point near the center of each neighborhood serving 1,500 to 3,000 dwelling units.

NN.LU 1.7 Neighborhoods–Open Space. The City shall ensure that at least 80 percent of the dwelling units are within 880 feet of open space (e.g., accessible public and private parks and parkways, drainage corridors, agricultural buffers, golf courses, lakes, and other open space opportunities). The 880-foot access standard is calculated based on actual walking routes rather than radius.

NN.LU 1.9 Housing Type Diversity. To provide housing for the wide range of residents in the North Natomas Community, the City shall ensure residential developers provide a variety of housing types in each neighborhood. As a guideline to ensure a variety of housing types, the maximum percentage of any dominant housing type should be 85 percent and the minimum of any minor housing type should be 5 percent. Residential developers are encouraged to be innovative and responsive to the changing lifestyles of future residents and trends toward transit, telecommuting, zero-emission vehicles, and others.

NN.LU 1.11 Rural/Urban Estates. The City shall encourage rural/ urban estates adjacent to environmentally and culturally sensitive areas to act as a buffer to more urban uses. Rural/urban estates are large lots up to 1 acre in size. Examples of such sensitive areas include Fisherman's Lake, the Witter Ranch Historic Farm, and other open space areas.

NN.LU 1.13 Upscale Housing. The City shall encourage residential developers to provide upscale housing through lower densities and additional amenities. Upscale housing is intended to attract move-up home buyers who wish to move to or remain in the Natomas area. Homes with custom-style features would help create a more diverse and interesting neighborhood. Custom-style features could include high-quality exterior building materials, larger lot sizes, and varied setbacks. Large lots would include those that are 6,500 square feet or larger. Other features included in upscale housing are architectural variations, quality landscaping, extra vehicle storage, homeowners associations, and other attractive marketing features.

NN.LU 1.24 Commercial Sites. The City shall confine commercial to designated sites to avoid strip commercial.

NN.M 1.1 Decrease Width of Local Streets. The City shall reduce the width of local streets whenever feasible to provide multiple routes within the neighborhoods, yet attain the projected number of housing units and promote a close neighborhood feel.

NN.ERC 1.8 Park Location Criteria. The City shall require that parks with active recreational uses which may negatively impact residential areas due to traffic, noise, and lighting should be sited so as to have minimal impact on surrounding residences. The City shall discourage or minimize residential back-on lots or side lots adjacent to parks. Neighborhood parks should be located along small residential streets or other connections within neighborhoods where they are easily accessed on foot. Community parks should be located along drainage canals or basins and/or along major streets where the park is easily visible and accessible by foot, bike, transit, or car.

NN.ERC 1.12 Other Open Space. The City shall allow for Open Space to include an open space parkway (Ninos Parkway) from Del Paso Road to Elkhorn Boulevard that includes the WAPA lines (46.6 acres); an open space buffer along the eastern boundary of the plan area that includes the existing Natomas East Main Drainage Canal and the Union Pacific Railroad right-of-way (123 acres); a proposed lake in the Northborough project (24 acres); and the Witter Ranch Historic Farm located near the northeast corner of El Centro Road and San Juan Road (26.2 acres). The area of land devoted to “Other Open Space” is 219.8 gross acres.

NN.ERC 1.14 School Location Criteria. The City shall concentrate residential dwellings sufficiently to allow for all students to be within walking distance of the schools and locate school facilities to minimize the transporting of students by bus. Walking access standards for school facilities should not exceed the district’s recommended walking distance (one way) from the most remote part of the attendance area:

- One-Way Walking Standards: Kindergarten (½ mile), Grades 1 to 6 (¾ mile), Grades 7 and 8 (2 miles), and Grades 9 to 12 (3 miles).
- Students living at a greater distance will be bused to a school.
- Special-education children and special-project students will require that school buses enter and leave all school sites. In addition, a large majority of parents transport their children to and from school even when they live within ¾ mile; therefore, traffic patterns around the school and to and from the school should be controlled.
- School sites should be located away from incompatible land uses such as commercial uses, industrial parks, agricultural areas, airports, and freeways. The location of schools shall comply with the California Department of Education’s setback guidelines related to proximity of schools to transmission lines.

- Elementary and junior high school sites should be located so that as few as possible residential sites abut the school, and the school is bounded on at least two sides by minor streets.
- Elementary and junior high school sites should not be located on major arterials. Streets fronting on school sites should be fully improved streets. Curbs on streets adjacent to school sites should be vertical curbs, and at least one street providing access to the site from a major arterial should be constructed of sufficient width or with off-street drop off zones to allow for parent and school bus traffic.

NN.ERC 1.16 School Acreage Criteria. The City shall designate the following number of acres of land for each type of public school: 10 acres for each elementary school; 20 acres for each junior high school; 40 acres for each high school. These acreages should be evaluated at the time of acquisition by the school district considering the actual size of the school site and joint agreements with the City Parks Department.

- Site Criteria: A school site must be a flat, rectilinear site with a proportion length to width ratio not to exceed two to one. The site must be a corner site with two boundaries bordering on public thoroughfares.

NN.ER 1.5 Distinguished Gateways. Heavier landscape treatment and high quality design must be included in specific gateways to the community to provide a suitable entry to the Capitol City. The freeway gateways include (1) I-5 and Del Paso Road, (2) I-5 and Arena Boulevard, (3) I-80 and Truxel Road, (4) I-80 and Northgate Boulevard, and (5) Highway 99 and Elkhorn Boulevard. The arterial intersections that also serve as gateways to the community are (1) El Centro and San Juan Roads, (2) Elkhorn Boulevard and National Drive, (3) National Drive and North Loop Road, and (4) Del Paso Road and National Drive.

Key urban form characteristics:

Suburban Residential (Found on Page 2-44 of the Land Use and Urban Design Element):

- Predominantly single-family residential scale
- Higher-density uses near centers or major transit routes
- Lot coverage generally not exceeding 60 percent
- Building heights generally ranging from one to three stories
- A street system providing distribution of traffic and route flexibility
- Neighborhood parks within walking distance of local residents
- A range of housing types and designs consistent with existing forms and patterns
- Street design balancing pedestrian and bicycle use with vehicular circulation by incorporating traffic-calming measures and more attractive and functional pedestrian/ bicycle facilities
- Consistent patterns of street trees providing shade and enhancing character and identity

Suburban Center (Found on Page 2-68 of the Land Use and Urban Design Element):

- Compact development pattern with buildings sited adjacent to streets to add character and spatial definition to the public realm
- Centrally-located gathering places (e.g. a small park or greenspace, outdoor restaurant/ café seating, or other publicly accessible area) supporting surrounding uses
- Building façades and entrances with a high degree of transparency and on-street and internal street fronting façades
- Building heights generally ranging from one to four stories (taller heights acceptable if supported by context and market)
- Lot coverage generally not exceeding 60 percent
- Integrated residential and office uses
- Separated parking between buildings, pedestrian paths, and landscaping
- Attractive pedestrian streetscapes with broad sidewalks appointed with appropriate landscaping, lighting, and pedestrian amenities/facilities
- Convenient and attractive pedestrian connections from adjoining neighborhoods and transit
- Streets designed to integrate and balance safe pedestrian, bicycle, and transit use with efficient vehicular traffic flow
- Attractive landscaping of public right-of-way with street trees and other plantings to enhance center character and identity

Attachment 12: Community Comments

Valley View Acres Community Association

March 21, 2016

Garrett Norman
Assistant Planner
City of Sacramento - Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, California 95811
Email: gnorman@cityofsacramento.org

Re: Panhandle Annexation – Initial Project Application Comments

Dear Mr. Norman:

We appreciate the opportunity to provide comment on this project. As you are aware, development adjacent to Valley View Acres has had a long and tormented history. While we are cautiously optimistic that we can work with the City and the Panhandle property owners towards a plan that works for everyone, our primary concern continues to be the potential negative impacts to our neighborhood character and our rural lifestyle.

First off, there are many improvements to the proposed plan over past plans. Primarily, the reduction in overall density (from 3000 units in 2007 to 1600 units today). The increase in the amount of low density residential immediately adjacent to our community and the elimination of the low income apartments are two design features that are very welcomed and supported. That being said, there are several areas of serious concern.

For many years, Valley View Acres residents fought long and hard to eliminate through traffic on Sorento Road and through our internal streets. In the late 1990s, our community was successful in erecting a gate on East Levee Road at Elkhorn Blvd. to prevent cut through traffic that significantly impacted our neighborhood. If our community could have its way, no development would be proposed east of the high power line corridor that bifurcates the Panhandle project. However, most, if not all of us, realize this is neither realistic nor practical. We believe that integrating our

neighborhood into the rest of North Natomas, rather than further isolating us, should be done carefully and responsibly.

Given that some development will occur in the area west of Sorento and east of the high power line corridor, it is our general feeling that this must be done in such a manner that respects our community and minimizes the potential negative impacts to the maximum degree possible. These concerns include increases in crime, loitering, illegal trash dumping, and traffic impacts and nuisance complaints from future residents about our agricultural activities.

Specific areas of concern that must be the topic of further discussion include:

(1) In terms of the proposed roadway connections to Sorento, this is of great concern. In terms of significance, it has the most potential to negatively impact our neighborhood. We'd like to better understand the potential traffic impacts of the current proposal to our neighborhood streets. We'd also like to better understand what traffic circulation features in the Panhandle project will be or can be incorporated to minimize the speed and volume of traffic on our neighborhood streets. That being said, we would urge the City and the project applicant to relocate the current two roadway connections to Sorento so that they do not connect to Sorento in front of existing residences.

(2) With regards to any improvements to Sorento, it is our strong preference to maintain Sorento as a rural roadway, i.e., no street lights, curb, gutter sidewalk, etc.

(3) Related to traffic, we'd like to better understand what the Twin Rivers Unified School District is planning to do with the East Natomas Educational Complex that's located in the middle of the Panhandle. TRUSD is part of the applicant group. We are <u>very</u> concerned that the ENEC site will use Sorento as an access point. We are adamantly opposed to any such use of Sorento.

(4) With regards to land uses, in the portion of the Panhandle immediately adjacent to Sorento, the land use plan provides a range of densities, namely 3-8 units to the acres. That is a wide range. Our general

consensus is that density immediately adjacent Sorento, especially in the middle and southern portions of our neighborhood, where there are residences currently, the density range be on the lower end of the 3 to 8 units to the acre range. We'd also like a better understanding of how the City and the project foresee the lot layouts immediately adjacent to Sorento.

(5) Given the rural nature and character of our neighborhood, we expect that any development in the Panhandle will include adequate legal disclosures, and even a deed restrictions on every property, that requires acknowledgment by future Panhandle residents that properties in Valley View Acres have an absolute right to continue our agricultural activities. We are very concerned and want protection against any possible future nuisance complaints from future Panhandle residents. We want legally adequate protections against any such claims or complaints.

(6) Additionally, we could support running City utilities up Sorento that are adequately sized to accommodate the possible future needs of our neighborhood. While we strongly oppose being forced off of our well and septic systems, prudent planning dictates that at some point in the indeterminate future, we may be required to abandon our septic systems. As such, it would appear best to plan ahead and minimize costs to homeowners in our neighborhood should that day ever come. That being said, we want to make it abundantly clear that we are fiercely opposed to any scenario in which our neighborhood would be required to abandon our ground water wells.

(7) We would also like to see some sort of recreational path/trail or other feature along Sorento to accommodate pedestrians, horseback riders and bicyclists. Increasing the connectivity to recreational activities along East Levee Road would be an added amenity to our neighborhood as well as future residents of the Panhandle.

(8) Lastly, despite the recent drought, in past years our neighborhood has experienced significant drainage issues. This particularly the case with the culvert located at the northeast corner of Sorento and Del Paso. As such, we are particularly interested in what drainage improvements

will be proposed as part of the project and how such drainage improvements can enhance the drainage of our neighborhood.

We are cautiously optimistic that we can work with both the City and the property owners advancing the current entitlement application to develop an ultimate plan that works for everyone. Again, we appreciate the opportunity to comment on this item and look forward to discussing this project further as it makes its way through the City application process.

Sincerely,

Nick S. Avdis, President

(navdis@gmail.com)

cc. Councilmember Angelique Ashby
VVA e-mail list

Sent from my Verizon phone.
On May 29, 2016 8:53 PM, NNatomas@aol.com wrote:

Dear Angelique and all,

Last night, someone ran a car into a power pole across the street (5020 Sorento) from my house. There were two long bangs and two power interruptions in our area. SMUD was busy last night and this morning. Six weeks ago, a speeding youth ran into the other power pole in front of my property knocking it down. The driver was observed being picked up by a friend and fled the scene. About 400 houses were without power for several hours. Fortunately, I have candles. SMUD worked through the night to replace the pole.

Both of these accidents occurred since the City sent the Panhandle project to us on February 11.

The City spent $50,000 to get people off the dangerous East Levee and Sorento Roads in 2004 as part of a Traffic Calming Process.

When we talk about accidents, death and injuries, we are not kidding. These two accidents occurred because kids party on the hill near the school site, get drunk and race on our road.

The Panhandle project proposes three access roads to Sorento and thus the East Levee Road. Each of these roads facilitates through traffic from Elkhorn and Del Paso Road via National and another north-south route. Numerous teenagers will leave the high school and find their way here to speed on the narrow shoulder less levee road which is considered great fun, and Sorento and Carey.

Before our road network was closed to through traffic, accidents occurred at least weekly; some were fatal. One person was airlifted from in front of my next door neighbor's house; another taken away by ambulance from mine. Someone died at the north curve. People regularly drove into my neighbor, Bob's yard north of Barros. A number of people drove off the East Levee Road into neighbors' yards along Tunis or worst into high waters. When we talk about the danger of reopening our roads to substantial traffic, we are not exaggerating.

I need to remind you that this is the first time any Panhandle applicant has proposed access to Sorento from national. At the scoping meeting on May 9, the applicant's engineer told me they could eliminate

the south access to Sorento; and apparently told my neighbor they could eliminate the other accesses. We have not seen anything in writing to verify such actions. We welcome the opportunity to resolve this issue with the applicant.

However, we need your help to ensure a safe neighborhood with calmed traffic pursuant to City policy and human compassion. Please work to remove these road accesses to Sorento. Please call me of you have any questions. Dana and Garrett, could you please add this correspondence to the project file.

Thank you.

Barbara Graichen
Valley View Neighbors Working Together
718-0877; 991-2177

PS We are not suggesting that the Panhandle proposal includes opening the gate at the East Levee Road and Elkhorn. There is apparently some confusion about that.

From: David Lichman
To: Garrett Norman
Cc: nnatomas@aol.com; libbyharmor@gmail.com; Lindsey Alagozian; Tom Buford; Jim McDonald; Stacia Cosgrove; Nancy
Subject: Panhandle Annexation - P16-013 - Issues
Date: Thursday, April 14, 2016 8:02:49 AM

Dear Garrett,

When Nick Avdis, and three other Valley View Acres Board members made comments about there being broad support for the comments made in their letter to you dated March 21, 2016, they were mistaken. They failed to ask this neighborhood what we want.

I, along with eight other volunteers, have done just that. We have walked our streets, bearing maps, and spoken with all but three households.

The results are tabulated. 95% of our neighbors have signed a petition asking for the same things City Council approved for us in 1985: a Sorento Road closed to through traffic, and a buffer between our rural neighborhood and the Panhandle urban development to the west.

Please remember that City Council has already voted to keep outside traffic off Sorento by approving a traffic calming measure. The City spent substantial funds to close the east Levee Road in the early 2000s, following a City poll of Valley View residents and property owners on the east and west sides of Sorento Road. We do not want the new urban road network connecting to our rural and agricultural neighborhood for many reasons.

We will be submitting our petition at an appropriate time to our Council Member and planning staff.

Our neighborhood has numerous other concerns with the Panhandle submittal as proposed, and will submit detailed comments before the April 30 deadline requested by Commissioner Lenzi. We are currently reaching out to the broader community and the environmental associations, as we have in the past.

Hopefully, our entire neighborhood will be united soon and be speaking with one voice. We object to the letter's comments, not the commenters. Thank you for your time and consideration.

David Lichman
Leader
Valley View Acres Neighbors Working Together

cc.

Barbara Graichen
Elizabeth Harmor
Lindsey Alagozian
Stacia Cosgrove
Jim McDonald
Tom Buford
Nancy Lichman

From:	David Lichman
To:	Garrett Norman
Cc:	nnatomas@aol.com; Nancy; Tova Lichman; Sam Lichman
Subject:	Proposed Panhandle Development Plan
Date:	Thursday, March 17, 2016 7:40:55 AM
Attachments:	Rural Lifestyle Petition.pdf ATT00001.htm

Hello Garrett,

My name is David Lichman, and I have been a Valley View acres resident for 33 years. We moved here because it was, and remains, the last rural lifestyle community in the city. We fought long and hard to establish our Rural Estates, 1-acre minimum parcels with livestock allowed during the formation of the North Natomas Community plan. And the mayor and city council overwhelmingly agreed that we are a community that deserves preservation.

I am grateful to Barb Graichen and Nick Advis for bringing the proposed panhandle plans to our attention. When we were working on this before, everyone in the neighborhood was individually advised when something was being proposed that would directly affect us. I would like to see that reinstated… especially now when email is so easy.

I understand the comment period for this initial proposal ends in a week, so I wanted to get my feelings on record, and let you know that I feel a majority of the residents feel the same. To that end, Barb and I have circulated the attached petition, which she will submit to you prior to the end of the comment period. In one day of circulating we have over 50 names.

I know it would be great to have the Valley View Acres Community Association take a unified stand on this and present it to the planners, but there's not enough time to get that done and our next meeting is not until after comment deadline.

As I emailed the petition to my neighbors, I included the following letter, which I would like to serve as my personal comments to your planning commission. We made the petition much simpler and more to-the-point, but I want you to see the underlying sentiment.

We take our rural lifestyle very seriously - and we feel that any higher density development must be buffered from us, with zero traffic impact on our local streets.

Thanks for your attention,

David Lichman (representing also Nancy, Tova and Sam Lichman, all living at the same address)
5000 Tunis Road

(916) 205-1092 (cell)

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Hi Neighbors.

Please pass this along to all concerned. When the first North Natomas Community Plan was implemented over 30 years ago, Valley View Acres residents rallied to preserve our rural lifestyle - the last of it's kind in Sacramento. We attended planning sessions and city council

meetings - it was a very big effort that took hundreds of man-hours over many months.

The plan includes a green belt and buffer zone on the west side of Sorento to avoid conflict with the higher density development to the west. It does not allow Sorento Road to be used for that development. We again worked very hard to obtain Rural Estates zoning - a new zoning created especially just for us. It requires a minimum of one-acre lots, on which livestock are allowed. Existing half-acre lots are grandfathered in.

About ten years ago, we again faced a challenge to our lifestyle, and through another long and difficult traffic-calming process, the City agreed to close access to Valley View Acres from the north by closing the East Levee Road. City Council recognized our special needs and were aware of the many accidents that had occurred on Sorento when it was used by thousands of cars every day. The traffic calming fix was adopted as permanent.

Now we are facing this again. A current plan is being proposed which removes all our gains. It proposes up to 8 units per acre, without a buffer zone, with multiple busy streets feeding onto Sorento from an extension of National Drive which has been moved eastward, closer to us. The access south of Barros Road has an elementary school on it, and connects to a large shopping center. The access north of Barros connects to National and the new high school. If implemented, this will result in thousands of trips per day on Sorento, plus cut-throughs onto Carey Road and Kenmar Road as happened before. This will invade deeply into our rural lifestyle.

I do not wish to restrict anyone's right to develop their property. But it must be done in cooperation with the desires of the neighbors - most of whom moved here for exactly the reasons stated above - a rural lifestyle close to the city.

Our neighborhood needs to be isolated from the proposed high density areas, so we don't become a throughway for more dense development.

We also have concerns about, crime, invasive lighting, livestock complaints and the reduction of our rural pleasures, such as walking, biking and exercising the dogs and horses. We are circulating a petition (attached). Sign it if you agree with these ideas, or come to the Wednesday community meeting where one will be available to sign. The time for comments on the new proposal is ***right now****, and we need to make a statement that our desires have not changed since we were granted Rural Estates zoning back in the 80s.*

I sincerely hope we can find a compromise that will allow those who desire to develop their properties to do so, without negatively impacting the very last rural lifestyle neighborhood in the City of Sacramento.

Sincerely,

David Lichman
Tunis Road

Mr. Garrett Norman
City of Sacramento
Community Development Department
300 Richards Boulevard
Sacramento, California 95811

Subject: Panhandle Annexation, General Plan Amendment, Pre-Zoning, Tentative Master Parcel Map, Planned Unit Development Guidelines and Schematic Plan, and Development Agreement - Control Number: P-16-013

Initial Comments and Initial Response to Notice of Preparation.

April 30, 2016

Dear Staff and Officials,

Thank you for the opportunity to comment on this Panhandle project. Our first comment letter for a Panhandle project was dated August 5, 1988 when its chief author was Assistant Executive Officer of the Sacramento Local Agency Formation Commission and a senior manager in the Sacramento County Executive's Office.

Much of the history of this site has been lost over the years. I suspect most of planning staff, for example, would not remember that this area lost substantive **open space** in 1997 when the owners of the properties to the west deleted a planned golf course, and other public space which extended onto the Panhandle site from the North Natomas Community Plan. We objected to the loss of that **amenity** in the eastern part of North Natomas, especially the area closest to us. There were no residents in the new areas of North Natomas to help us stop the losses. When I tell Natomas Park people about the missing golf course, they are disappointed.

We objected to the later loss of most of the eastern **transmission line and rural estates buffer/nuisance mitigation** (originally over 100 acres as shown on the 1994 Community Plan and the current Sacramento Council of Government's Blueprint Map) during the moratorium (our neighborhood had no idea this happened). This buffer was previously approved by City Council to provide adequate space to hide or soften the look and health and safety effects of radiation generating transmission lines, **to avoid related blight and the crime that generally follows it, to avoid neighborhood incompatibility** issues between existing and planned horse properties to the east of Sorento Road, and to offset some loss of habitat.

The **vision** included greenways, with visual relief for the transmission towers provided by lush plantings[1] near and along the towers, and wildlife corridors connecting to Steelhead Creek, the Ueda Parkway, the Dry Creek Greenway, and agricultural lands in the Pacific flyway north of the

[1]See attached photo of back yard of house in upscale Michigan neighborhood; trees and foliage visually blocks the lines from those living there. The yard is gorgeous.

project site.

In this vision, **north/south and east-west bike, pedestrian and equestrian trails (north-south only)** were placed away from the towers, and **connected to the Ueda Parkway and a Sacramento/Sutter bicycle loop trail** which was proposed along the landward toes of the Natomas levee system, providing more than 70 miles of bicycling pleasure and a campsite along Pleasant Grove Creek, plus a safe off road travel route.

During the City-formed 2005 Panhandle Working Group process, a local farmer testified he could profitably operate an **organic farm** in that 100-acre City approved buffer area, a somewhat novel idea at the time, but now, a cornerstone idea in the Farm-to-Fork and urban farm movements. The latter proposal, by itself, would (and could still) have **solved the nuisance and maintenance problems /costs** for the areas in and near the transmission line easements.

The placement of bike trails between the towers was not desired for **health and safety and aesthetic** purposes. Why would bicyclists be planned to bike five miles from the American River Parkway to Elkhorn Boulevard under ugly, radiating lines, which crackle loudly during damp weather, when other alternatives are available? Certainly, in south Natomas (Ninos Parkway), bike trails followed development so other options weren't available. In the Panhandle, however, there are 600 +/- acres of land with no entitlements except agriculture since it is located in the County. There are numerous **better cycling options**.

The **Bikeway Master Plan is being updated**. Certainly, better options (see footnote 2) for the Panhandle and North Natomas can be incorporated into that Plan as the North Natomas Community Association has already suggested to City Bikeway Plan consultants. Currently, it is extremely dangerous to ride on Del Paso Road. We need at least one off road east-west connector to the Ueda Parkway. There are millions to be made on this development. The developers have already received a gift of more than 100 acres of our open space. We want something in return. It is only fair.

Certainly the City-approved open space buffer and these types of ideas[2], supported a **high quality livable neighborhood oriented environment which attracts home owners and**

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[2]See attached Community Preferred Alternatives which was supported by North Natomas Alliance, Natomas Community Association, Environmental Council of Sacramento, Valley View Acres Community Association, etc. in 2005-06. Although densities were higher than we actually desired, they were consistent with the NNCP density in place at that time and low income housing requirements in place at that time including provision of 15% low income housing. Notice that uses are buffered, detention basins serve a dual purpose of buffering seniors and others from nuisance impacts, and commercial areas are small, centered in the residential areas, neighborhood-oriented with residential above the small shops. Trails are everywhere with connections to Ueda Parkway, Elkhorn buffer, and all higher density areas where higher trip volume could be anticipated. We envisioned inclusion of an upscale neighborhood as well.

creates stable neighborhoods thus lowering the potential for crime, and complements the rest of North Natomas. Stability, home ownership, and **remediation of homeless issues and nuisances** may be expected to **reduce crime stemming from blighted/unattractive neighborhoods**.

The proposed project creates rather than remediates problems. **Project design includes multiple nuisance features and inadequately mitigates the potential effects of existing potential nuisances (transmission lines and City approved horse and livestock properties).** We oppose the approval of a plan which we believe will cause blight, foster neighborhood nuisance and instability and cause increases in crime.

It doesn't matter much if densities are lowered but the neighborhood is so unattractive and nuisance ridden that it deteriorates into a rundown rental community as has happened near other inadequately mitigated transmission line corridors. These issues will be explained in more detail later.

We object to the **continuing degradation of planned potential** for this site, the last major east North Natomas development opportunity. **We do not want to replicate the blight and crime provoking characteristics that have caused so much misery in Gardenland and Northgate.** The City has **expended a lot of money trying to fix the crime, poverty, rental issues, traffic issues and other problems** plaguing those under protected neighborhoods. They are **neighborhoods with the same levee and transmission features as the Panhandle/Valley View area.**

Gardenland was just like Valley View at one time. Some of our neighbors grew up there. Poor planning, and unaddressed traffic intrusion issues, caused it to change greatly. They deserve better and so do we.

The project proponents don't seem to view this area favorably. They seem to see it as potentially lower class. A glaring example of this is their name for **Steelhead Creek**. North Natomas residents don't like having water features that are called canals. Living near a canal is not a selling point; living near a creek is.

The unfortunate canals monikers were set in place between 1911 and 1915 by engineers who were altering Natomas creeks and streams and only had flood control on their minds. In the late 1990s, we decided that the Natomas East Main Drain Canal was an unfortunate name for a **community amenity** (visit the area and SAFCA's wildlife ponds and you'll see what I mean.). With this author working as pro bono consultant for Sacramento County, the County, with City, SAFCA and numerous community groups supporting, petitioned the state and the federal government asking for renaming to Steelhead Creek. It was approved. The new name, which reflected the existence of Steelhead in the waterway, is proudly displayed at SAFCA's pump station on the E. Levee Road.

The Panhandle project proponents don't get it. They still use the old canal name and treat us like we are a canal area!! However, Natomas Precinct proponents who are arguing a more upscale if ill located plan, use the name Steelhead Creek (see NOP for that project). The proponents need to realize that this site is the eastern end of a community that sees itself as lovely, vibrant and livable. We don't want to be viewed as lower class, or named as such. The point may seem small but the bad attitude is reflected in the park, road plan, shopping plan, school, open space, drainage and nuisance mitigation plans. Natomas deserves better!

This author would like to diverge for a moment from specific project comments and focus on perception as opposed to reality issues. Sometimes, people, at first blush, see Valley View as a separate entity from the Panhandle and less important to greater North Natomas. They may, at first, conclude that those who fight for 600 acres of high quality neighborhoods in these parts **only** have their interests at stake. This is not the case.

This letter's principal author, Mrs. Barbara Graichen, has been working on North Natomas and city wide issues since 1980. She sat at the table when all of Natomas Park and north to Elkhorn, was proposed and approved for development, long before our western neighbors were here to defend themselves. She and her neighbors are committed to many local, state and federal endeavors and projects, and a number have served on Natomas Boards such as the Natomas Community Association.

Mrs. Graichen was a two-term member of the City's Parks and Recreation Commission (committee), a founding member of the Natomas Chamber of Commerce, founding principal of a local private school, a four term Board member (2 in 90s, 2 in 2000s) of the Natomas Community Association including president and vice president positions, a raptor rescue and rehabilitation volunteer for the Wildlife Care Association, a multi-year volunteer for the South Natomas library, former coordinator of the Steelhead and Roble Creek week clean-ups, two decade president of the Valley View Acres Community Association, a board member of the Environmental Council of Sacramento, a board member of Stanford Settlement, a member of the first Natomas Coalition effort, and president of the currently recharging North Natomas Community Association.

The Mayor and City Council voted to formally recognize Mrs. Graichen for her many contributions to parks, open space and recreation including establishment of the Ueda Parkway and the official (federal) renaming of the East Main Drain Canal to Steelhead Creek (the latter as pro bono consultant to Sacramento County). In 2007, the Mayor and City Council formally recognized her husband, Gerald, for his many outstanding contributions to the community. **The author is continuing to raise important issues for the good of the entire community on behalf of existing and future residents who have or will contribute to the larger community!**

We will now turn to specific issues:

Traffic and Circulation and Related Health, Safety, Crime and Blight Issues.

When one looks at the colored PUD Schematic Plan and NOP attachment, one sees roads, roads, and more roads. The Panhandle is 1/4 mile wide. If one looks at the unscaled project vicinity map, one can begin to see that this width is less than half the distance from the western edge of the Panhandle to Natomas Boulevard. **There are no north/south through roads between the western edge of the Panhandle and Natomas Boulevard.**

This project proposes three north south roads in the same distance:

-an extension of National Drive which is curved to be closer to the rural neighborhood which needs no new streets and exacerbates nuisance impacts upon it.
-Street A which appears to end at the high school until one looks closer and sees the arrow pointing north to its extension to Elkhorn Boulevard.
-and the reopened Sorento Road which is extended to Elkhorn by SAFCA/ACOE's current proposal to build a minium 20 foot wide road at the landward toe of the levee.

At the north end of Sorento Road, there are only a few hundred feet separating the 3 roads! Why is eastern North Natomas being subjected to so much unnecessary intrusion from roads? Too many roads in neighborhoods will translate into nuisance and blight. We only need National Drive and it should be built with a landscaped median and buffers on each side like the rest of North Natomas.

THIS PLAN IS A RECIPE FOR BLIGHT, DETERIORATED NEIGHBORHOODS, CRIME AND LOW PROPERTY VALUES.

WHEN ONE ENTERS THE COMMUNITY, ONE WILL SEE TRANSMISSION LINES AS ITS MAJOR FEATURE. The driver is taken on a road trip along power lines. Two of the proposed roads are adjacent to the power lines with no setback. Four of the proposed parks, the High School, Intermediate School and Elementary school, and a large (almost 1/3 mile long) unnecessary shopping attraction, are proposed adjacent to, or partly under, power lines. Schools and power lines don't mix well. Why are all of the schools by power lines. There are health and safety impacts stemming from this. When people consider moving here and visit schools, they will not be attracted to schools with huge power lines next to them, blight in the making.

The only north south bikeway is proposed under the power lines. More than a mile of single family homes abut the power lines. Those homes are likely to evolve into rentals or nuisance properties as has been the case in almost every other location where houses are placed adjacent to power lines without buffering and proper setbacks.

The current residents of North Natomas are proud of their neighborhoods. They want to see the

Panhandle area as an amenity to existing neighborhoods, perhaps even an upscaled addition. This project appears to be adding a **potentially blighted area with low property values** and potentially higher crime rates, into the mix. In the 1985 and 1994 North Natomas Community Plans, City Council prudently provided an open space buffer area in which potential nuisance impacts could be reduced by distance, landscaping and other amenities for roads and power lines.

When **Truxel/Natomas Boulevard was extended to Elkhorn Boulevard, it was downsized** to ensure that it didn't induce growth on the Natomas Precinct site to the north, and to ensure that any future projects to the north did not dump thousands of cars per day into North Natomas via Natomas Blvd. (The project file for the Truxel Road Extension and associated planning, engineering and environmental documents, and comment letters, including additional staff work and analysis contained in the Valley View Acres Traffic Calming approval by City Council which closed Sorento Road to through traffic, are hereby incorporated by reference into these comments.)

This project proposes what appears to be at least six lanes of access to Natomas Precinct, the exact opposite of previous Council approvals. This situation will cause the Panhandle to carry more cut through traffic that any other areas of North Natomas. This is an area not located near the Town Center or Light Rail lines or planned to be a traffic attractor. High volume traffic/road areas are supposed to be limited to the Town Center and light rail areas. More traffic, more noise, higher concentrations of carbon monoxide translates into greater potential for urban blight and undermines air quality plans and mitigation for North Natomas development.

Finally, where will the extra traffic from the north go after it reaches Del Paso Road?? There are no freeway entrances. Will our North Natomas neighbors to the west find all this additional traffic dumped into their portion of Del Paso, and the intersection of Natomas Blvd. and Del Paso Road?

This proposal is also inconsistent with the traffic policies of the City's General Plan, and the **Sacramento Council of Government's MTP/SCS with Blueprint Reference and Transit Priorities Map and policies. In fact, "under this MTP/SCS Map (horizon year 2036) no growth is anticipated to occur (Hargrove, 4/4/16)."**

The **Habitat Conservation Plan** discourages projects that induce growth on areas not identified as growth in that Plan. This proposal will induce growth to the north and produce more traffic impacts than are necessary for a low density residential community. There can't be access to the east because of the levee and public lands, none to the south because of existing industrial areas.

Why is the road network proposed to be so overbuilt? Future residents will be required to pay for this over construction through increased fees and **unnecessarily inflated financing plan costs.**

Before going any further, we need to state without equivocation, that **THIS NEIGHBORHOOD**

OPPOSES THE REOPENING OF SORENTO ROAD AND OTHER VALLEY VIEW ACRES STREETS TO SUBSTANTIAL TRAFFIC. We oppose a plan to essentially empty streets into people's front yards. By that, we mean that two streets proposed to access Sorento Road, (Mayfield and street D) end in front of existing residences. They point hundreds of cars and headlights at these peoples' front yards and living rooms, plus noise, litter and potential crime. Street A easily connects the high school site to Sorento; Mayfield connects the elementary school and high school to Sorento. Twin Rivers wants its own access to Sorento.

This is unacceptable and has never been done in North Natomas. Why here? So far, **almost 190 Valley View Acres residents representing 95% of the community, have signed a petition requesting that no roads from the new development be dumped into our neighborhoods, and that a buffer be provided to protect our neighborhood from future nuisance complaints.** We deserve better!

If criminals, or teenagers leaving late night high school events stop at a stop sign or light and sit looking at a house or yard, they will get ideas. Crimes will happen. Last week, an officer came to a neighborhood meeting and told us our crime rate was lower than the rest of North Natomas because we are isolated. We welcome our new neighbors, but, just like our North Natomas neighbors to the west, we don't want unnecessary traffic from urban development to blight our individual neighborhoods. **Elsewhere in North Natomas, streets are ended or cul-de-sacs placed on ends to deter strangers from casing our neighborhoods or speeding.**

The new streets are meant to serve the new neighborhoods, not us. Please leave us out of the mix. Our excellent first response emergency and police services come from the south not the west.

The rest of North Natomas was designed to calm traffic as much as possible and to minimize adverse traffic impacts on the internal neighborhoods. Why is this project so different? The applicants have 600 acres of space in which to design streets that support quality neighborhoods. This plan proposes to completely undermine efforts to date to upgrade Valley View Acres and reduce blight in it and other neighborhoods. Certainly, other North Natomas neighborhoods were designed with this basic courtesy in mind.

Nowhere else in Sacramento or Sacramento County will you see the proposal of streets that end in front of existing residences because it's been proven to be blight inducing. Street "D" does not even connect to Club Center. The obvious connection to Barros, an existing road, is dismissed.

We strongly disagree with a road entering Sorento at another place. There are **no services, shopping centers, schools, public facilities or even low density housing to the east. Why are roads proposed to even go there?**

This project proposes to **undo the work of the City approved Traffic Calming Plan for Valley View Acres. The roads in Valley View Acres are long and attractive to speeders.** When the North Natomas Community began to build out, traffic volumes on Sorento Road

quickly escalated into the thousands. The **East Levee Road and Sorento became very dangerous with traffic fatalities on both**. People drove off the levee and crashed.

Drivers lost control and drove into the yards at the Sorento curves north of Barros, and into the two poles by the curve south of Barros near the proposed Mayfield extension. SMUD had to replace poles on more than one occasion.[3] There is a hill which impedes the view of oncoming traffic and cars backing out of driveways. By the time the city acted to close Sorento to through traffic as allowed in the 1994 North Natomas Community Plan, accidents were an almost daily occurrence, with many fender benders that went unreported. It was unsafe to walk along the road, or retrieve one's mail.

There were several reports of **children who while waiting for the school bus on narrow streets, especially Carey and Sorento Roads were forced to jump into ditches to avoid speeding traffic**. Frantic mothers yelled at cars; one Carey Road mother followed a car to the driver's place of employment and reported an incident to the driver's employer. Friends, turning into properties along Sorento, were sometimes rear ended. Collisions occurred at the Sorento/Del Paso Road intersection. The City recognized our safety concerns and fixed the problem. [All city files pertaining to traffic issues (accidents, speeding, natural hazards, nuisance impacts) on Sorento, East Levee Road and Valley View Acres are incorporated by reference including the City staff reports and supporting documentation for City Council approvals.]

This proposal seeks to uncalm our traffic. There is **no reason for the urban area to access Valley View Acres**. Traffic can be directed from collector streets toward National as was always planned and has been the case with every previous Panhandle proposal. Why is the City not opposing this change in course? **People will die as they did before and many will be injured** if the City allows these seven roads to be reopened to through traffic. People love driving through/speeding through our streets. Please notice that every street in Valley View Acres can be used to access Del Paso Road. People cut though and sped before; they will again. Don't let this happen. We deserve better!

Serious traffic issues up to 2003 were causing our neighborhood to begin to be **blighted and decline** due to noise, safety impacts, and dangerous conditions. People were beginning to sell houses and more renters were moving in. Since our neighborhood has been "calmed," Valley View Acres has been upgrading and improving the quality of its neighborhood. New estates have been built, small and decrepit homes have been replaced with better homes, and regular cleanups are diminishing nuisances.

If our streets are reopened, we believe that the neighborhood will decline similar to the decline experienced by Gardenland many years ago. Many have already said they will need to

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[3]In fact, a speeding youth who had been partying at the unoccupied Twin Rivers school site ran into the utility pole across from 5000 Sorento a few months ago. Many people were without electricity for most of the night. This project connects Sorento to the new high school.

move or rent as conditions especially at the dead-ends will be insufferable. Gardenland has been severely damaged by numerous open street and cut through traffic which has caused an increase in crime.

These proposed streets connect us to a high school with late night activities. Teens will take to the dark places after their events end. There are no street lights in our neighborhood which is the way we like it. Add traffic and it's a perfect place for crime to take root. Throw in the shoulder less narrow East Levee Road after dark and/or in the fog or rain and it spells injury and death! We need to discourage access to these dangerous roads, not design a plan that increases access.

The City can do better. Please don't contribute to the decline of a neighborhood by filling it with unnecessary traffic.

Our neighborhood has just discovered that our land use designations have been changed. In 1985, as reaffirmed in 1994, City Council recognizing the history and nature Valley View Acres, created a new designation, called Rural Estates for us and subsequently initiated a process by which we downzoned our properties to minimum one acre parcel size.

Please be advised that this neighborhood intends **to petition the City to initiate a redesignation of General and Community Plan monikers** to reflect past Council actions.[4] The 2009 changes occurred without our knowledge, or the knowledge of our Board (other than one). We fear foul play on the part of some who may have desired to hide the General Plan and Community Plan changes from us for financial gain. The 2009 change made no sense for Valley View Acres which is nearly built out with one acre parcels.

We will be working to investigate and champion this issue in the very near future. **A proposed General and Community Plan Amendments from Rural Neighborhood (with 3 potential residences per acre) to Rural Estates minimum one acre parcel size to attain Zoning Consistency will be requested to be initiated by the City, or will be initiated by us if we cannot attain fairness in this matter.** This project **should be considered an anticipated project which should be considered at this stage of the process for staff analysis and must be considered in the CEQA review.** (We add this to the traffic section because we do not want the higher densities to be used to force unnecessary access.)

During the 2005-006 Panhandle Working Group process, the **North Natomas Alliance representative argued on the behalf of Mayfield residents that the street should not be used for Panhandle traffic.** Everyone on the working group, including planning staff and Dunmore voted to support this position. As Mike Chavez, a Natomas Park resident pointed out, the Charter school site was originally supposed to be only three acres. The expanded size and use has caused much more traffic than was originally expected and the City has had some difficulty calming the

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[4]Please note that the author suffered substantive personal tragedies and illness during this period and had relied upon her association for updates.

situation along Black Rock. Additionally, Mayfield is not configured as a through street. So, traffic needs to wander and make several turns to even reach Black Rock which is not a through street to the north. Mayfield is not a through street to the west.

Mayfield and Natomas Park residents did welcome an east-west bike access.

Finally, there isn't any reason for residents south of Mayfield to go north to Mayfield. The road dead-ends in both directions, has congested access to the west (note the odd configurations near the Charter School), and doesn't access any services not available via National or Del Paso Roads.

The elementary school already has an access on its north side. **An elementary school should not be surrounded by busy roads on all sides. This is bad planning.** There are too many opportunities for children to be hit by cars. Some people will notice this feature and choose not to move here because of the dangerous situation. This is a debit to achieving stable and healthy neighborhood.

What is the purpose of Street B as a connector to two large roads? It's less than two city blocks away from Del Paso Road. Why subject so many people to cut through traffic for no reason. There is no precedent for this type of pattern anywhere else in Natomas. Through streets every few blocks? We haven't seen it around here.

As we stated previously, this site is not being treated like any others in North Natomas. Why are there so many through streets so close together?

Finally, these **numerous proposed roads will cost a lot to build**. Developers don't generally spend money unless they see an associated profit. These roads will encourage latent trips, will cost a lot to build, and could **drive up the cost of the public facilities** financing plan and fees for future residents. We think the **developers will come back with requests for higher densities, more commercial, etc., because the project** will not pencil out with so many roads—and because roads induce growth.

Buffer for Valley View Acres

Valley View Acres residents strongly support the reinstatement of its City-approved buffer so that its lifestyle may continue without nuisance complaints. When the North Natomas Community Plan was adopted, the City voted to recognize and protect this rural neighborhood. A Rural Estates land use designation was created and applied to our neighborhood.

The City subsequently initiated a Rezone including changes to City Ordinances to allow us to legally keep our horses, cows, llamas, peacocks, chickens, sheep and other livestock. It was Jim McDonald's first planning project. The neighborhood cheerfully downzoned. Valema Farms to the north was designated Rural Estates, but left with agricultural zoning. Files, staff reports and

public hearing documents are hereby incorporated by reference into this letter and initial response to the NOP.

It is critical that a prudent buffer is maintained between Valley View and its new neighbors. People will complain about livestock. People will harm livestock if immediate access is available. One may reference the multi-year protests and litigation regarding horse property/ new urban development in Loomis which was extensively covered in the Sacramento Bee. We have been here since the 50s. Our lifestyle should be valued and protected. Mixed communities are blessed communities.

Shopping Center - A cornerstone of the North Natomas Community Plan Traffic and Air Quality Mitigation Plans is to attract shoppers to the west where services are clustered, the town center is located and Light Rail will be built. This strategy leads to fewer vehicle trips, less congestion and lessens air quality impacts.

In the Panhandle area, there were to be a few small neighborhood shopping/service areas. The 2005 Community Preferred Alternative **proposed a few neighborhood commercial sites near two road intersections. The vision was for small businesses with owners and other residents living above their shops**. The business owners became our neighbors and took interest in our community.

The proposed shopping center is huge, almost a third of a mile long creating a strip development along National adjacent to, and under, the power lines. It **will attract trips from other neighborhoods to the east and south, and from western North Natomas.** This area already has too much unplanned commercial development. County plans did not envision a long commercial strip along Del Paso Road. However, one has slowly evolved. One of the reasons a center turn lane can't be placed at Sorento and there is no room for a landscape buffer is because an influential past owner of the Kings, pushed though the development of a triangle created by the realignment of Del Paso Road (the road previously dead ended into the East Levee Road.)

This trend needs to stop. Instead, the Panhandle exacerbates it. We **don't need to attract more traffic from the east and south for nuisance and air quality reasons. This proposal will also attract the nearby homeless population.** They are currently expanding their way up Steelhead Creek. We fear they will be attracted to this large shopping center so they can scavenge in bins and panhandle. If they buy alcohol, **we also fear they will drink, sleep or try to move into the park next to the shopping center.** These are ingredients for blight!!

Finally, why is the shopping center partially under the power lines? **Why is it next to the park site which would otherwise have the best potential for mitigating transmission power nuisance effects, and buffering Valley View?** This oversized center will be the **first thing people see when entering this part of North Natomas**: a huge shopping center with huge power lines in it. This is a recipe for lowering the perception of the neighborhood and promoting blight. Who will be attracted here? **We fear investors with rental dreams.**

We ask you to return this area to its original plan for small neighborly commercial uses for the nearby residents to visit on feet and bicycle.

Detention Basin - During non drought periods, the water table rises near or to the surface. Dry Creek used to cross the project site near the Mayfield/Sorento Road interface. Its pathway is visible when the area is farmed because of the sandy soil in its former bed.

All the creeks stubbed by the levee project flowed southwesterly. This project proposes to pump the water north, then south. It doesn't make any sense. We believe the pumps will be overwhelmed during high water years (we haven't had one since 1997). The costs of pumping will be high and will be borne by future residents. The City didn't listen when we warned them about the detention basins, so they had to redo them. Please listen to us this time.

We asked to keep the northern location for drainage from the north and east, and create another detention basin near the Charter School. The northern basin could drain to the south. One developer opposed the pumping of water from this site across Del Paso Road, but that is the natural flow and least expensive for the public facilities financing plan.

We believe that maintenance of the area under the power lines should be included in the financing plan for this site.

We've proposed less expensive alternatives, like organic farming or wildlife preserve. We request that the city work with the community to develop a plan for remediating the tower nuisance and developing a feasible, attractive and effective buffer alternative. One alternative could be large 3-5 acre lots with the easement areas included and maintained by the estate. Trees, etc., would be planted by the developer to achieve an effect similar to the one shown in the attached photo.

City Council planned North Natomas with a necessary buffer between rural horse properties in Valley View Acres and urban uses. **Almost 190 Valley View Acres residents have so far signed a petition requesting a buffer between us and the new development that will ensure that neighborhood incompatibility issues don't destroy our way of life. Work with us to develop the buffer alternative.**

We want to help solve Panhandle problems.

Thank you for your consideration of our comments. Please call us at 718-0877 if you have questions.

Sincerely,

David Lichman
Leader
Valley View Acres Neighbors Working Together (VVNWT)
5000 Tunis Road
Sacramento, California 95835

Barbara Graichen, Principal Author
Public Liaison, VVNWT
President, North Natomas Community Association
Natomas Community Association Representative for the 2005-06 Panhandle Working Group
5010 Sorento Road
Sacramento, CA. 95835

Attachments:
Map: Community Preferred Alternative
Photograph of back yard in upscale neighborhood along major transmission lines.

cc.
Angelique Ashby
Ryan DeVore
Jerry Way
Sameer Hajeer
Lindsay Alagozian
Jim Mc Donald
Dana Mahaffy
Jude Lamar
Chris Paros
Holly Brickner
Molly Fling

Properly mitigated backyard in upscale Michigan neighborhood.

Community Proposed-Ueda Parkway Compatible Plan

-lower densities were not possible at the time

Environmentally Friendly Plan

Date: April 21, 2016

To: Garrett Norman, Assistant Planner, City of Sacramento Community Development Services

Subject: NNCC Initial Comments on Panhandle Project (P16-013)

Dear Mr. Norman:

I am writing this letter on behalf of the North Natomas Community Coalition (NNCC). We are a community-based group consisting of residents from many HOAs and Community Associations in the North Natomas Area. Our goal is to analyze any new projects in our area and determine how they may or may not benefit our area. Since the Panhandle will have a significant impact on the future of North Natomas, it is our intention to work very closely with the City and the applicant to ensure it will be a benefit for all of North Natomas. The Panhandle is one of few prime locations for move-up and executive-type housing in our community, something North Natomas lacks and desperately wants. Because of this, and the opportunity for improved connectivity to the recreational opportunities east of the Panhandle, we intend to work closely with the applicant throughout the application process to maximize the Panhandle's enormous opportunity. We provide the following initial comments but look forward to additional opportunities to review this project as more details on landscaping, elevations, etc. become available:

First off, we applaud the project applicant and the City for reducing the density of the project when compared to previous proposals. With this reduction in density comes the welcome inclusion of larger lots immediately adjacent to Sorento Road. Larger estate lots had been in the original plan for this site and are a key need for move-up & executive housing opportunities.

We also applaud the project for excluding apartment complexes from the project design.

In terms of lot lay-outs, it is an important priority that homes face every street, integrating our community rather than segregating it, and enhancing future security of both the development and surrounding areas by having "eyes on the street". We understand that some other community residents have concerns about increased traffic on Sorento Road. However, our position is that community connectivity is important, and traffic impacts could be mitigated by incorporating appropriate design features, such as traffic circles, to minimize speed. Additionally, design of roadways could encourage use of more appropriate primary paths of travel, like National Drive, vs Sorento Road. We are very interested in partnering with the City and the applicant on ensuring responsible traffic flows into, out of, and around the project area.

Increased connectivity both from a vehicular traffic circulation and bicycle/pedestrian perspective is an important need in the east-west direction, as well as north-south. Many residents of North Natomas would enjoy the natural beauty of Steelhead Creek and use the bike/ped trail along the Ueda Parkway if there was safer, easier and more convenient access to them. The Ueda Parkway is a tremendous amenity. It is also a major bicycle transportation corridor that connects North Natomas to the American River Bikeway that should be easily accessible to all residents of North Natomas. Because of this, we strongly encourage appropriate roadway and bike/pedestrian connections to the Ueda Parkway, both internally, within in the project, as well as along its perimeter (Del Paso, Sorento, etc.)

We strongly encourage the use of Home Owners Associations (HOA's) for the entire Panhandle development. HOAs have proved an invaluable tool to assure proper maintenance and security of other communities in North Natomas. HOA's are also a "must" for homebuyers seeking move-up or executive housing. To ensure HOAs are successful, realistic, fiscally-responsible dues structures and provisions for developer hand-off of facilities need to be in the HOA agreement. These will help ensure successful turnover of community assets from the developer to HOA boards of directors who will then be equipped to execute the community's vision long term.

We are also pleased to see the proposed use of the Western Area Power Authority (WAPA) corridor as a public open space amenity. However we request the applicant obtain a memorandum of understanding (MOU), to ensure WAPA, the city, and the applicant have a consistent agreement on public use, maintenance and liabilities. This MOU would ensure WAPA has approved the use of the high power line corridor for public park use. We are encouraged that they would, but think an MOU between the project and WAPA would be appropriate. We also urge the project applicant and the City to explore long-term, secure funding sources to keep control and responsibility for the ongoing operation and maintenance of the WAPA open space corridor in the hands of local residents (perhaps making it an HOA responsibility or some other CFD-financed/maintained asset). Doing so reduces the possibility of neglect in the future and provides direct control of its operation and maintenance.

In terms of the East Natomas Education Complex (ENEC) school site, we have serious concerns about how long it will take to open this school site. Currently, there is a serious shortage of 7-12 grade facilities in the North Natomas portion of the Twin Rivers Unified School District. We urge and support the opening of a starter school at initial phase construction to provide the desperately needed facilities sooner rather than later.

In addition, we have concerns about access to the ENEC school site in the future and recommend an access road be included in the project. To reduce traffic on Sorento Road, we recommend an access road from National Drive.

Again, thank you for the opportunity to comment on this project. We look forward to working with both the City and the applicant as this application progresses.

Best regards,

Chris Paros

Chris Paros

President, North Natomas Community Coalition

From: Judith Lamare
To: Garrett Norman
Subject: letters on Panhandle annexation/tentative map
Date: Thursday, May 05, 2016 11:16:29 AM
Attachments: Panhpud-ECOSetal.5.07.doc
panhandle12.18.06final.pdf

Dear Mr. Norman

Friends of the Swainson's Hawk represented ECOS in the Panhandle working group and commented on various issues, along with partner environmental groups -- issues that are still relevant to the shape of the tentative map for the panhandle area. Of particular concern is the preservation of an open space corridor on the east side of the power lines, an important raptor foraging area and wildlife corridor for natural areas to the north and east. Also we are concerned about any urban planning that has negative impacts on the remaining agricultural and habitat areas preserved in North Natomas. Care should be taken to avoid any urban impacts north of the project area.

Here are environmental group letters December, 2006 and May 2007.

Judith Lamare, President
Friends of the Swainson's Hawk
www.swainsonshawk.org
swainsonshawk@sbcglobal.net
916 769 2857

2/26/2016 VIA EMAIL

Garrett Norman, Assistant Planner
City of Sacramento Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

RE: Panhandle Annexation (P16-013)

Dear Mr. Norman:

WALKSacramento has conducted an initial review of the Panhandle Annexation (P16-013) project and we offer the following preliminary comments. We will follow up with more detailed comments.

1. Elementary school site should be closer to Club Center Drive.
    a. The proposed site was more logical for the 2006 PUD which had a lot of high- and medium-density residential nearby. Now the site is within the least dense area of the PUD, therefore walking and biking rates will be the lower than if the site was closer to more residences.
    b. The proposed location is far from Regency Park neighborhoods that might be within the school's attendance area, hence more driving and less walking and biking.
    c. The park site next to the school site has some limited access to Natomas Park via Mayfield Street, a residential street.
2. Commercial Center
    a. Pedestrian and bicycle access will be limited by the limited number of crossings of National Drive, a 4-lane arterial. Intersection crossing distances will be long and midblock crossings may require signals of some type.
    b. There may be a desire to cross at the northern edge of the center, but it may be too close to the Mayfield intersection to allow for a midblock crossing.
    c. The project description in the routing states that the 10-acre site is "intended to serve the neighborhood shopping and service needs of the community." The peripheral location at the intersection of 6-lane and 4-lane arterials is not contiguous with any residential parcels; it doesn't convey a neighborhood orientation nor a pedestrian orientation.
3. Streets
    a. The streets labeled cross section E, Modified "Residential Street", on the north and south sides of the elementary school and adjoining park have unacceptably narrow sidewalks. We'd like to see schools and parks frontage with 10'-wide sidewalks. If the streets are constructed after the school and parks plans are approved, then appropriate segments for 8' sidewalks could be identified.

b. The street on the west side of the park and school, cross section C, has a wall on the side opposite the park. This virtually eliminates "eyes on the park" and will discourage legitimate park use and walking/biking to school.

c. The street on the east side of the school, cross section B, and on the west side of the school do not allow parking. With parking on only two sides of the school and a student body that will likely have lower than desired walking and biking rates, more parking will be needed on the school site. This will generate more traffic at ingress and egress points, which means more vehicle-pedestrian and vehicle-bike conflicts and greater rates of injuries and fatalities.

d. Club Center and Collector 'A' will have walls on sides that have residential. Are VMT and speeds so high that walls are needed? If so, that means the PUD is not designed to encourage and facilitate walking and biking. Also, note that the Regency Park side of existing Club Center in North Natomas has side-on homes but doesn't have walls. Residential streets with walls don't have good "eyes on the street" and many people feel isolated and unsafe walking in such places.

e. Street 'A', cross section G, has detached sidewalks and landscape planter with rolled curb on the residential side. Not only is the 6.5' landscape planter narrow for "estate homesites" but the 30'-wide pavement will encourage drivers to park with one side of the vehicle in the planter. The setback distance is not indicated, but perhaps it could be reduced with an equivalent increase in the planter width.

f. Sorrento Road, cross section D, also has a narrow landscape planter. The 25' setback could be reduced with an equivalent increase in the planter width.

g. Del Paso Road and Elkhorn Blvd, cross section A, each have an 8.5' landscape planter, detached sidewalk and 25' landscape corridor/PUE. Considering the traffic volumes and speeds on those roadways, the pedestrian environment would be improved by a few more feet of separation between the travel lanes and the sidewalk. Pedestrian scale lighting is important for these sidewalks, too.

WALKSacramento is working to support increased physical activity such as walking and bicycling in local neighborhoods as well as helping to create community environments that support walking and bicycling. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality, and a stronger sense of cohesion and safety in local neighborhoods.

Thank you for your consideration of these comments and recommendations. If you have questions or need additional information, please contact me at (916) 446-9255.

Sincerely,

Chris Holm
Project Manager

Attachment: Development Checklist for Biking and Walking

DEVELOPMENT CHECKLIST for BIKING and WALKING

Prepared by WALKSacramento and SABA (Sacramento Area Bicycle Advocates)
September 2012

This checklist is provided to give an indication of design, engineering, and policy elements that we consider when reviewing development projects.

POLICIES

- ❑ Walking and biking is a priority
- ❑ Adopted a policy to develop a full multi-modal and ADA accessible transportation system

Project Review and Comment

POLICY CONSIDERATIONS

- ❑ Pedestrian Master Plan
- ❑ Bicycle Master Plan
- ❑ Regional Blueprint
- ❑ Regional Blueprint Consistent General Plans
- ❑ Adopted Climate Action Plans
- ❑ Subdivision ordinances to support pedestrian and bicycle access and safety
- ❑ Zoning ordinance to support pedestrian and bicycle access and safety

ENGINEERING

- ❑ SIDEWALKS & BIKELANES ON BOTH SIDES OF MAJOR ROADWAYS
  - Pedestrian Level of Service “C” or better on arterials
  - Bicycle Level of Service “C” or better on arterials
- ❑ SAFE CROSSINGS FOR PEDESTRIANS
  - every 300-600 feet on major arterials
  - well lit, marked crosswalks
  - audible signals & count-down signals
  - median refuge islands
- ❑ SPEED MANAGEMENT
  - Speed limits based on safety of pedestrians and bicyclists
  - Implement “road diets” where there is excess lane capacity
- ❑ STREET DESIGN STANDARDS
  - Maximize pedestrian and bicyclist safety
  - Sidewalks buffered by trees and landscaping on major arterials
  - Vertical curbs
  - 5’ minimum sidewalk widths, 8’ in front of schools
  - 6’ minimum bike lanes on busy streets

- INTERSECTIONS
  - Median refuge islands for pedestrians
  - Signal timing to enable safe passage
  - Signal detection for bicyclists
  - Crossings on all 4 legs of intersections

- ELIMINATE BARRIERS
  - Freeway, railroad, river and creek crossings
  - Obstructions in sidewalks and bike lanes

NEW DEVELOPMENT – REQUIRE

- Walking & bicycling circulation plans for all new development
- Direct and convenient connections to activity centers, including schools, stores, parks, transit
- Mixed uses and other transit supporting uses within ¼ mile of light rail stations or bus stops with frequent service
- Minimum width streets
- Maximum block length of 400'
- 4-lane maximum for arterials; Recommend 2 lanes wherever possible

NEW DEVELOPMENT – DISCOURAGE

- Cul-de-sacs (unless it includes bike/ped connections)
- Gated and/or walled communities
- Meandering sidewalks
- Inappropriate uses near transit (gas stations, drive-thru restaurants, mini storage and other auto dependent uses)

BUILDINGS – REQUIRE

- Direct access for pedestrians from the street
- Attractive and convenient stairways
- Bicycle parking – long & short term
- Shower & clothing lockers

OLDER NEIGHBORHOODS

- Improve street crossings
- Reduce speeds
- Provide new connections
- Create short cuts for walkers and bicyclists by purchase of properties or other means
- Provide sidewalks on both sides of major streets

Policy Review and Comment

ENFORCEMENT & MAINTENANCE

- Enforce speed limits
- Enforce crosswalk rules – conduct crosswalk sting operations
- Enforce restrictions against parking on sidewalks
- Enforce bicycle rules including riding with traffic, lights at night, stopping at red lights
- Implement CVC 267 setting speed limits based on pedestrian and bicyclist safety
- Sweep streets and fix hazards
- Repair and replace broken sidewalks

EDUCATION

- Train staff on pedestrian and bicycle facility design.
- Train development community about pedestrian and bicycle planning and safety issues
- Bicycle skills training

FUNDING

- Include pedestrian and bicycle facilities in capital improvement programs
- Include pedestrian and bicycle facilities as a part of roadway widening and improvement projects
- Support Measure A pedestrian and bicycle facility allocation
- Set priorities based on safety and latent demand
- SACOG Community Design grants & Bike/Ped grants
- California Bicycle transportation Account
- Safe Routes to School

www.walksacramento.org

WALKSacramento
909 12th Street, Suite 203
Sacramento, CA 95814
(916) 446-9255

www.sacbike.org

Sacramento Area Bicycle Advocates
909 12th Street, Suite 116
Sacramento, CA 95814
(916) 444-6600

915 L Street, C-425
Sacramento, Ca. 95814
916-447-4956
www.swainsonshawk.org

909 12th St., 100
Sacramento, Ca. 95814
916-443-1033
www.ecosaramento.org

1414 K Street, 500
Sacramento, Ca. 95814
916-557-1100, x 108
www.motherlode.sierraclub.org

Natomas Community Association
5010 Sorento Road
Sacramento, CA 95835
www.natomascommunity.org

December 18, 2006

Jennifer Hageman
City of Sacramento
Development Services Department
Environmental Planning Services
2101 Arena Boulevard, Suite 200
Sacramento, CA 95834
Telephone: (916) 808-5538
E-Mail: jhageman@cityofsacramento.org

Re: Panhandle Annexation and PUD DEIR Comment

Dear Ms. Hageman,

The following comments, which incorporate the attached "Panhandle Working Group Support Position for Open Space Buffer," and accompanying Exhibits 1 – 13, are submitted on behalf of the Environmental Council of Sacramento, Natomas Community Association, Friends of the Swainson's Hawk, and Sierra Club - Mother Lode Chapter, regarding the DEIR for the proposed annexation of Panhandle, PUD, and related approvals. We also incorporate into our comments all of the comments of other individuals and organizations, and will rely on these comments as well as our own. These comments highlight some of the deficiencies of the DEIR and the project. We also request information in a Recirculated DEIR. Our organizations oppose the project, including the annexation, General Plan Amendments, rezone, PUD, and development of the project site.

Agricultural Resource

While the DEIR contains mitigation for agricultural resource lost, LAFCo is now reconsidering its mitigation policies. The final EIR should include any mitigation necessary to comply with LAFCo policies.

An agricultural buffer on the northern boundary of the project area is necessary to be consistent with the NNCP. The DEIR recommends mitigation to include this buffer and its maintenance (MM4.2.2a and MM 4.2.2b). However the funding mechanism for acquisition and maintenance of the buffer is not identified in the DEIR or other project documents. Therefore there is no evidence that implementation of this proposed mitigation measure is financially feasible, and thus no evidence supporting the finding that impacts are mitigated to less than significant. (MM 4.2.2 – see discussion, below, regarding funding for traffic mitigation measures).

The DEIR MM 4.2.1 states that the requirement to acquire land suitable to mitigate for loss of farmland shall be satisfied by acquisition of habitat mitigation land to mitigate for impacts on wildlife (ie: compliance with the NBHCP, MM 4.8.1). There is no substantial evidence that preservation of habitat mitigation land under the NBHCP will also mitigate for loss of farmland. The farmland and endangered species habitat mitigation requirements having differing goals which in some instances are incompatible. Mitigation for loss of agricultural land is intended to preserve production agriculture. By contrast the Natomas Basin Conservancy is mandated to manage its land as "high quality habitat" for covered species, notably the threatened Giant Garter Snake and the Swainson's Hawk. Twenty-five percent of NBC land is required to be converted to managed marsh, a non-agricultural use, and another 25% managed for high quality upland habitat values, which, due to soil and agricultural market conditions, is nearly impossible to achieve in the Basin on land managed for production agriculture. Moreover, it cannot be determined whether "stacking" can succeed for Panhandle's agricultural and habitat mitigation, because no land has been identified for the proposed mitigation of habitat and agricultural impacts of the Panhandle project.

The DEIR does not address the incompatibility of NBHCP and stacking or the risk and consequences of failing to multiple mitigation objectives with the same land easement. There is substantial risk that the multiple mitigation objectives cannot be met in perpetuity. Given the legal status of the NBHCP as a state and federal permit, it is likely the objectives of the agricultural land mitigation measure would ultimately not be met if the mitigation requirements were stacked. Therefore stacking is not an adequate CEQA mitigation measure because there is no evidence that it is capable of full implementation.

MM 4.2.1 states that agricultural protection easement may be "dedication of open/recreational space." It is inappropriate to mitigate for loss of farmland with open space/recreational land. To mitigate for the loss, the land must be placed in an agricultural use. We would urge you to include a mitigation measure that requires at least some on site mitigation and the use of the land for organic farms serving local needs for fruit and vegetables.

<u>Air Quality</u>

The Panhandle DEIR Air Quality analysis is incomplete. It refers to an air quality plan for the project which is not appended. CEQA requires that all parts of a DEIR be circulated for at least 45 days for public comment. Therefore, the DEIR and project documents, including the missing Air Quality analysis, must be recirculated for at least

45 days. Moreover, though the project is conditioned with air quality mitigation measures, these are measures that apply to projects that are included in the land use base for the air quality plan. The Panhandle PUD is inconsistent with the current federal ozone attainment plan adopted by the Sacramento Metropolitan Air Quality Management District because that plan is based on a land use map that assumes Panhandle remains in agricultural land.

The Sacramento Metropolitan Air Quality Management District is presently preparing an ozone attainment plan to be submitted to state and federal regulatory agencies by June 2007. In order to be consistent with the upcoming air quality plan, the DEIR should be delayed until that plan is adopted and the DEIR should include sufficient mitigation measures to be found consistent with the new air quality plan.

The DEIR Air Quality analysis points out (4-5-10) that the transportation conformity requirement of the federal Clean Air Act:

> " The region's transportation plan must conform and show that implementation will not harm the region's chances of attaining the ozone standard. The SIP is tied to a "motor vehicle emissions budget" and thus, transportation planners must ensure that emissions anticipated from plans and improvement programs remain within this budget."

However, the DEIR fails to identify the interaction between the transportation improvements required for this project and the necessary air quality plan adoption and conformity finding. What transportation mitigation measures and required transportation projects could be at risk if the necessary approvals are not obtained? Nor does the DEIR identify what additional air quality mitigation requirements will be forthcoming with the adoption of the new air quality plan.

Alternative Analysis

The DEIR should quantify the differences between alternatives in impacts rather than classify them arbitrarily as in the same category.

> The DEIR at 6.0-21 makes no meaningful distinction between the project alternative and the other alternatives in terms of stormwater run-off and surface water drainage, flood risk, and groundwater quality, although the plans differ substantially in impervious surface.
>
> The DEIR does not distinguish between the transportation maintenance, traffic and transit impacts of the various alternatives although they do differ in the acreage used to serve about the same population.
>
> The DEIR should quantify the impacts on existing neighboring land uses and residents of the alternatives.
>
> The DEIR should quantify the differences between alternatives in cost to municipal services to the population since the project requires a larger service area.

The DEIR should quantify the differences in impact between the alternatives on the biological resource, including nesting and foraging Swainson's Hawks, White Tailed Kites, Burrowing owls and impacts on and adjacent, wildlife corridor along Steelhead Creek and along Hansen Ranch to Placer County.

The DEIR should quantify and compare the alternatives in terms of meeting diverse housing needs. All inclusionary housing is for rent. The DEIR fails to analyze the impacts of the use of rental properties for all inclusionary housing compared with a mix of housing spread over neighborhoods and a requirement for senior housing. The project alternative lacks an institutional designation for senior independent and assisted living as compared with the community proposed plan (so-called "Trujillo" alternative).

Biological Resources

With MM 4-8-2a the DEIR states that compliance with the NBHCP will require "Payment of HCP fees or dedication of land at a ratio of 0.5 to 1." All land requirements should be met with dedication of land, not through payment of fees. Under CEQA, land acquisition requirements for mitigation must be met through land dedications because fee programs to acquire land for habitat mitigation have consistently failed in our region. (Examples are the former SWH mitigation programs of the City of Elk Grove, County of Sacramento, and County of Yolo.) Use of fees to acquire mitigation land is inconsistent with CEQA's requirement that mitigation be financially feasible and capable of being implemented.

The DEIR (Impact 4.8.1) concludes that grassland is not significantly impacted by development of 590 acres of annual grasslands: "The loss of annual grasslands and associated common wildlife is less than significant because this biological community is locally and regionally abundant and losses from this project would not result in grasslands of the region to drop below a self-sustaining level." (p. 4-8-29) The DEIR provides no evidence to support this conclusion. The DEIR at 4-8-29 states that the conclusion is based on:

> "The impact assessment was based on the project description for the Panhandle annexation and PUD, information described in the existing setting (including technical biological reports prepared for the project site), and the standards of significance described above."

No technical biological reports are appended to the DEIR. The DEIR should be recirculated with the necessary appended reports.

The DEIR Violates CEQA By Failing To Make Necessary Documents Available For Public Review During the Entire 45-Day CEQA Public Comment Period (Financing Plan)

Public Resources Code § 21091(a) requires that the public review period for a Draft EIR be at least 45 days, which begins when the project documents and DEIR are complete

and Notice of Availability is given. The DEIR is incomplete because neither it nor the project documents include a financing plan to commit necessary and sufficient funding for the mitigation measures in the DEIR, and to demonstrate that proposed mitigation measures are financially feasible.

Instead, there is a "Draft Public Facilities Financing Strategy" which states that a "Panhandle Public Facilities Financing Plan" will be drafted at an unspecified time and adopted when the project is approved. Otherwise, the Draft Public Facilities Financing Strategy" only recites the various financing options which may be selected by City, contains a list of estimated costs of infrastructure, and contains no data or calculations which demonstrate how these costs will be paid. Page 5 of the "Financing Strategy" recites that project-related infrastructure and public facilities required to serve the project are similar to those of nearby projects and do not appear prohibitively high. It then concludes: "As a result, the project should be able to feasibly fund the cost of the required mitigation measures and infrastructure facilities." (*Id*, p. 5) The DEIR contain no evidence supporting that conclusion.

CEQA requires that mitigation measures be feasible. "Feasible" includes "financially feasible." Measures which are not financially feasible are, by definition, not feasible. The public and responsible and trustee agencies in reviewing the DEIR cannot form an opinion about the feasibility of proposed mitigation measures without a financing plan which demonstrates that there will be funding adequate to pay for the mitigation measures. The DEIR is incomplete because the financing plan is a necessary element to provide mitigation for the project's impacts.

Indeed, the DEIR states that such data will be available to the decision-makers prior to their action, in the "Panhandle Public Facilities Financing Plan". However, CEQA requires that the "Panhandle PUD Public Facilities Financing Plan" also be made available to the public for the requisite 45-day public comment period, so that the public may examine the Financing Plan and form an opinion as to whether the mitigation measures to be financed by the Financing Plan are, in fact, financially feasible. The nonexistent financing plan has significant environmental impacts because it determines whether there will be funding to implement the Mitigation Measures proposed in the DEIR.

CEQA requires an agency to address specific economic considerations related to mitigation measures to determine if they are feasible or infeasible. **See** Public Resources Code §21081(a)(3); *Federation of Hillside and Canyon Associations v City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1259, 1260.

On point is *Ultramar, Inc. v. South Coast Air Quality Management District ("Ultramar")* (1993) 17 Cal. App. 4th 689, 700 - 701, in which the agency failed to mail out a section of an DEIR to requesting parties. The agency learned of the omission and mailed out a supplemental environmental document, but refused to extend the comment period to provide the full public review period for the supplemental document. The Court of Appeal held that failure to permit public review in the manner required by law, was a *per se* prejudicial abuse of discretion, and that no deviation from CEQA's notice and public review requirements are acceptable.

At minimum, Public Resources Code §21092.2 and CEQA Guideline 15088.5 will require recirculation of the DEIR for the statutory 45-day comment period after public notice of availability of the Finance Plan. *Sutter Sensible Planning v Board of Supervisors* (1981) 122 Cal App 3d 813.

No Evidence That Traffic Mitigation Measures Are Financially Feasible, or Will Mitigate Impacts to Less Than Significant

MM 4.4.1 states that certain traffic impacts will be mitigated by measures funded by the Panhandle PUD Finance Plan, which does not exist. There is no evidence in the DEIR or any other project documents that the Panhandle PUD Finance Plan will provide funding sufficient to implement all or any of the mitigation measures and infrastructure improvements needed to mitigate for the traffic impacts of the project.

Mitigation Measures 4.4.2.a, 4.4.2.b, 4.4.2.d, 4.4.2.f, 4.4.2.h, 4.4.7.a, and 4.4.7.b call for financing of traffic mitigation measures by the developer's payment of unspecified "fair share" of the cost of various traffic facilities and infrastructure.

CEQA requires an agency to address specific economic considerations related to mitigation measures to determine if they are feasible or infeasible. **See** Public Resources Code §21081(a)(3); *Federation of Hillside and Canyon Associations v City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1259, 1260.

"The commitment to pay fees without any evidence that the mitigation will actually occur is inadequate." (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140, citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App.3d 692, 728.) Without review of the Financing Plan in conjunction with the DEIR (as was anticipated by the authors of the DEIR, see "Draft Panhandle Public Facilities Financing Strategy", p. 5), it is impossible to determine whether the promised mitigation measures will be fully implemented or at all. The public needs to be able to review the fee program in conjunction with the Mitigation Measures to determine if there is sufficient funding to pay for the infrastructure improvements relied upon by the Mitigation Measures and proposed Findings. In *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th, 342, 363-365, the court said that the EIR included information about the fees to be paid by the project and said: "Although the existing mitigation fee appears to be a reasonable attempt to have developers pay their proportionate share of the costs of needed highway improvements, and the continued use of such fees undoubtedly would be useful, it cannot reasonably be argued that the funds that the county already has raised or that it reasonably can expect to raise in the future, will be enough to mitigate the effect on traffic that will result from cumulative conditions."

In *Anderson First Coalition v City of Anderson* (2005), 130 Cal. App. 4th 1173, the Court of Appeal held that bare recitation that a project would pay "fair share" fees towards highway improvements, was too speculative to be deemed an adequate mitigation measure. (*Id.*, pp. 1193, 1194.) The Court of Appeal ruled that to be sufficient under

CEQA, a "fair share" mitigation fee measure must (1) specify the actual dollar amount based on current or projected construction costs; (2) specify the improvement projects for which the fair share fee will be used; (3) if the fair share contribution is a percentage of costs which are not yet known, then specify the percentage of costs, (4) make the fees part of a reasonable enforceable plan or program which is sufficiently tied to actual mitigation of traffic impacts at issue.

CEQA Guideline 15130(a)(3) states that an EIR may find that a project's contribution to cumulative impacts is less than significant if the project is required to implement or fund its "fair share" of mitigation measures designed to alleviate the cumulative impact. However, "The Lead Agency shall identify facts and analysis supporting its conclusion that the contribution [by the project to cumulative impacts] will be rendered less than cumulatively considerable." CEQA Guideline 15130(a)(3). The Panhandle DEIR does not identify the facts and analysis supporting its conclusions that contribution of "fair share" will render impacts less than significant. There is no evidence of the amount of money represented by "fair share," no evidence as to how "fair share" will be calculated, no evidence that the amount of "fair share" funding will be adequate to construct the infrastructure which comprise the Mitigation Measures, and no evidence that any other party or entity will contribute amounts towards their unspecified "fair shares" which are sufficient to construct the infrastructure which comprise the Mitigation Measures.

Hydrology and Water Quality

The relative costs and risks of the detention basins being located in the southwest corner of the site as opposed to the project alternative location for detention basins are not adequately analyzed in the DEIR. The sheet flow goes in the southwest direction and it will be expensive to pump it north to Country Club, west to the Main Canal, south to the C-1 canal and back east past the Panhandle to Steelhead creek. A detention basin next to Charter School, with culvert under Del Paso and larger pipe (across Pardee) accomplishes the same thing and costs much less, particularly for on-going operations. The project proposed increases flooding potential in the Main Drain by pumping uphill and west and trying to dump all the natural flow from the stubbed Dry & Robla Creek, and all runoff from Valley View to the north instead of south west as it flows naturally.

The DEIR does not address the impacts on the existing North Natomas Community residents in the event of conditions approaching or exceeding the 100 year flood condition with and without the Panhandle development.

- What is the additional risk to the existing North Natomas Community Plan area of the failure of the planned detention basin to contain run-off in high water events?

- For situations requiring emergency evacuation, what is the additional burden posed by development of the Panhandle area? The DEIR does not quantify the additional emergency services and evacuation burden posed by the proposed

project when considered in combination with all other development within the Natomas floodplain.

The DEIR does not address the alternative requested by the Environmental Council of Sacramento and the Natomas Community Association that no annexation for new development be approved until the flood risk is fully assessed and reduced to less than significant. The EIR should include as a mitigation measure that no annexation proceed until SAFCA has completed all necessary levee improvements.

The last section of this letter addresses further concerns with hydrology related specifically to flood risk.

Transportation

A number of issues very important to the existing communities are not adequately addressed in the DEIR.

- The proposed project changes the location of National Drive from that envisioned in the Community Plan. It moves National Drive east, away from the location of most homes, and the new location impacts homes in Valley View Acres. The Panhandle working group agreed that the road should stay where it was in the Community Plan or be moved to the center of the new growth area.
- The DEIR should include noise and air pollution mitigation along east side of National concurrent, or before, development to protect adjacent neighbors from noise and air pollution impacts of the proposed project.
- The DEIR fails to consider the cumulative impact of the expected development north and east of the project area on National Drive in estimating traffic counts and consequent impacts on neighbors.
- The DEIR does not adequately address the noise, nuisance, and safety impacts of the additional roads into Regency Park from the proposed and unexpected school and denser proposed project annexation. It lacks adequate mitigation for these impacts. Please note that the eastern portion of North Natomas is supposed to be less dense because of distance from light rail and employment centers and lack of adequate access to the east and south. A portion of the area immediately west of the site is already denser because the city rezoned a large portion of the once approved and now gone golf course for urban uses.
- The DEIR does not address the growth inducing impacts of proposing two full width roads with bollards that connect to the Avdis urban proposal on the north end of Valley View. They would eventually allow National to connect with Sorento, and are growth inducing because they bring 2 roads adjacent to a 60 acre development proposed along Steelhead Creek.
- The DEIR does not address the impact of the lack of east-west off street bikeways and the absence of a ramp up the levee side in the proposed

project. These need to be added to mitigate impacts of the additional vehicle travel.

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Other Issues

The DEIR fails to adequately address the following issues which were discussed in detail in the Panhandle Working Group.

• The exclusion of the open space in the eastern part of the Panhandle that was included in the 1994 community plan has a number of impacts not addressed in the DEIR and which are described in the attached "Panhandle Working Group Support Position for Retention of the City Council Approved WAPA/Valley View Acres/Steelhead Creek Open Space Buffer."

• WAPA set back. The 1986 adopted NNCP EIR included an adopted mitigation measure requiring a 250 foot setback from the WAPA lines. How did the 1986 NNCP EIR envision that this mitigation measure would be funded?

• The acreage figures used in the EIR do not match the acreage figures on the May 1994 community plan map. No amendments have been made since that time. The 10 acre school site doesn't show up in the EIR as it does on the 1994 map, and the city is behaving as if the Quimby Ordinance didn't apply to the urban area. We went over this problem in the working group. Proponents claim that eliminating a portion if the open space buffer is a good thing because it means more parks scattered throughout the plan area. However about 28 acres of parks were required under the City's Quimby Ordinance requirement in addition to the open space buffer. This is akin it to having $50 in bank (Quimby) and $150 in bank (open space buffer) and having the bank tell you they will put the $150 in several accounts so you have greater investment variety, but taking away the $50/Quimby. You now only have $150 instead of $200.

- The school site needs an underlying designation of public facility. Otherwise, these sites are appraised at urban values and the districts can't afford them or pay inflated prices. Plus, community plan has a requirement that they revert to urban with no community plan amendment after 5 years. The DEIR fails to analyze the impacts of this requirement. What we have seen in other Natomas neighborhoods is that the school sites are rezoned for profit and educational needs, and consequent transportation demand, change with negative impacts to the community.

- The negative impacts of strip commercial along Del Paso, south of Del Paso, along the north part of Northgate and other locales in combination with strip commercial on this site are not analyzed in the EIR. What are the impacts of the distribution of commercial in and adjacent to the project site for trip generation and vehicle travel demand?

- The location of higher density apartments on Del Paso Road at the edge of the project area raises a number of issues of best fit with adjoining land uses and transit service that are not addressed in the DEIR. In particular, the community

is interested in assessing the impacts of locating the apartments further east (which would be compatible with the community's proposed use of the southwest corner for detention basin.)

FLOOD HAZARD FROM POTENTIAL LEVEE FAILURE ON SACRAMENTO AND AMERICAN RIVERS, AND NATOMAS CROSS-CANAL: Revision and Recirculation of DEIR Required

1. Violations of CEQA

Information provided by the DEIR on potential flood hazard is incomplete and misleading, and lacks the level of detail and specificity required by CEQA. The DEIR fails to disclose to the public the well-documented proven inadequacy of the levees protecting Natomas Basin and the potential for catastrophic deep flooding.

A Recirculated DEIR which truthfully discloses and addresses the deficiencies of the levees surrounding the Basin and the potential effects of deep flooding, including flood depths on the high and low elevations of the project site during a 100-year and 200-year flood from the American or Sacramento Rivers, is required by Public Resources Code 21092.1 and CEQA Guideline 15088.5. Likewise, the type and extent of damage to property, (assuming that it is built out as proposed), displacement of future residents of the project, and potential loss of life, should be disclosed. Such a Recirculated DEIR must also provide the sufficient level of detail and specificity required by CEQA which is sorely lacking in the present DEIR's discussion of the flooding issue

a. **The DEIR misrepresents and fails to disclose the full extent of the potential for flooding and the impacts of such flooding**

The DEIR, p. 4.11-2 correctly states that in l996, the U.S. Army Corps of Engineers determined that levee improvements along the Sacramento and American Rivers, NEMDC (Steelhead Creek), and Natomas Cross Canal "were sufficient to provide a level of protection to the project site that met or exceeded a 100-year return period event."

The DEIR, p. 4.11-9 states that SAFCA "has succeeded in achieving 100-year flood protection in the Natomas Basin." The DEIR, p. 4.11-12, in its discussion of "Flood Control Guiding Policy A", states that 100 year flood protection has been previously obtained. As shown below, those statements are patently false.

The DEIR admits that that upgrading of the levees will be needed to achieve 200-year level of flood protection (DEIR p. 4.11-5), that "risk of flooding is greater than previously assumed" (DEIR p. 4.11-5), that "the current level of flood protection is now in question in some areas," (DEIR p. 4.11-9), that the levees are "at risk of underseepage and erosion hazards during a 100-year storm event" (DEIR p. 4.11-21. -22, and that the risk of underseepage and erosion hazards in a 100-year storm event is "potentially significant." (Impact 4.11.3).

In fact, the DEIR inexcusably fails to disclose that by letter dated July 20, 2006, the U.S. Army Corps of Engineers ("Corps") formally withdrew its 1998 opinion (attached to the July 20, 2006 Corps letter) that the levees protecting the Basin were adequately constructed to withstand the FEMA 100-year flood. (**EXHIBIT ONE).**

The now-rescinded 1998 Corps opinion was the sole basis for FEMA's decision to show the Basin on the FEMA's Flood Insurance Rate Map ("FIRM") as being outside of the FEMA 100-year flood plain. FEMA's National Flood Insurance Program is primarily an insurance program which relies upon engineering determinations performed by, or reviewed by, the Corps, in its determination of those lands to include in its Flood Insurance Rate Map, ("FIRM").

In a press interview which accompanied the release of the Corps letter of July 20, 2006, a spokesman for the Corps stated that "We agree, the levees today do not meet current certification criteria" (**EXHIBIT TWO,** Sacramento Bee, "Faith in Levees Officially Downgraded", July 27, 2006).

Lester Snow, Director of the California Department of Water Resources, by letter addressed to Sacramento Mayor Heather Fargo, dated November 21, 2006, **(EXHIBIT THREE)** stated that the Natomas levee system does not meet minimum federal flood insurance program standards for 100-year flood protection, that "the area is at **high risk**" and that DWR was working with FEMA to have the Basin remapped into an AR or A99 Special Flood Hazard Zone. Director Snow further stated: "In the meantime it is imperative that additional measures be taken to reduce the threat to public safety and property" and that "with less than 100-year flood protection, the chance of homes flooding over the next ten years is approximately 10 percent." He recommended a number of measures which City of Sacramento should undertake "to protect the public against this higher risk," which included a "limitation on new construction until minimum flood protection is achieved." (*Id,* p. 2)

By separate letters dated July 31, 2006, to SAFCA and to FEMA, Les Harder, Deputy Director of the California Department of Water Resources ("DWR") stated that DWR concurred with the Corps opinion; that "additional analyses are underway to develop a strategy for providing FEMA 100-year flood protection"; and that "even under the best scenario, it will take several years to make the necessary improvements." **(EXHIBITs FOUR, FIVE)**

Mr. Harder's July 31, 2006, letter to SAFCA, p. 2, stated DWR's concurrence with the Corps letter of July 29, 2006, and expressed the urgency of timely FEMA re-mapping of the Basin "to accurately depict the level of increased flood risk" because of the extent of existing and planned development. **(EXHIBIT FOUR)** In his letter to FEMA, Mr. Harder stated that "it is clear that that portions of the levees protecting the Natomas Basin do not meet the [FEMA] levee certification requirements." **(EXHIBIT FIVE.)**

The SAFCA "Executive Director's Staff Report for August 2006" to the SAFCA Board states that the Natomas levees do not meet the 100-year FEMA standards for certification, that re-mapping Natomas Basin as a flood zone is not a high priority for FEMA, and that the final FEMA flood zone maps will be completed in 2012 by which

time SAFCA anticipates completing its Natomas Levee Improvement Project. (**EXHIBIT SIX).**

The SAFCA Executive Director's report to the SAFCA Board ,dated February 16, 2006, titled "Information - Natomas Levee Evaluation Study", **(EXHIBIT SEVEN)** acknowledged that less than 100-year flood protection was "**high risk**", and that greater than 100-year but less than 200 year protection was "moderate risk." (p. 1); that a study by URS in 2002 concluded that most of the levees would need "substantial additional work . . .to reach a high level of flood protection" (p. 2), and that the 2005, URS report for the Corps determined that at some locations, there was potential for subsurface permeability "that could threaten the stability of the affected levees ..." (p. 3)

Does City agree with the statements by the Director of DWR, *supra,* that Natomas is at high risk of flooding from the Sacramento or American Rivers due to having less than 100-year flood protection? (see **EXHIBIT THREE** p. 1.) If not, please explain why not?

Does City agree with the statements by the Executive Director of SAFCA, *supra,* that less than 100-year flood protection is "high risk"? (See **EXHIBIT SEVEN,** p. 1) If not, please explain why not.

Does the City contend that the Basin is not at high risk of flooding due to its present lack of 100-year flood protection? If so, please explain why City believes that the Basin is not at high risk of flooding.

There is a long history of through-seepage and underseepage of the levees protecting the Basin during high water events. The failures of the levees along the Feather and Yuba Rivers in l986 and 1997 were caused by underseepage, during high water conditions which were well below the tops of the levees. There were significant weaknesses manifested at points along the Sacramento River levee during the l997 high water event. During the January 1, 2006 high water event, which was much less than the 100-year flood river elevation, there were numerous boils landward of the Sacramento River levee at the RD 1000 Prichard Lake Pump Station, which were remedied by removal of the pump station and filling 800 feet of the North Drainage Canal. Major repairs at that site were authorized by SAFCA and are ongoing.

Well before release of the DEIR in November 2006, geotechnical engineering studies and soil borings performed for the Corps in 2000-2001 (**see EXHIBIT EIGHT)** circular for the Corps and SAFCA distributed to public meetings, July 2002**)** and 2005 ("Final Geotechnical Report For Sacramento River East Levee and Natomas Cross Canal South Levee" November 2005, by URS Engineering for the Corps), and the Draft and Final SAFCA Levee Evaluation Report, March 2006 and July 14, 2006, **(EXHIBIT NINE)** and exhaustive geotechnical engineering studies, released in March 2005, (**see EXHIBITS TEN, ELEVEN, TWELVE),** technical charts omitted but available at SAFCA office) and designated as Appendices of Draft and Final SAFCA Reports, disclosed extensive subsurface soil permeability and vulnerability to serious underseepage in numerous locations along the levees of the Sacramento and American Rivers and the Natomas Cross-Canal protecting the Basin, that failed to meet Corps standards for the 100 and 200-year water surface event and could cause levee collapse during high water events occurring more frequently that the 100-year event (i.e.: the levees did not provide 100-

year flood protection.) The DEIR spoke generally about studies and planned improvements but failed to disclose the identity of these documents or list them as references in the DEIR, except for the Draft SAFCA Draft Levee Evaluation Report.

Exhaustive engineering studies designated as Appendices of SAFCA's Draft and Final Natomas Levee Evaluation Study Reports disclose numerous reaches of levee which do not meet U.S. Army Corps ("ACE") underseepage guidelines for the 100-year Water Surface Elevation (WSE.) **See** (1) "Problem Identification Report, Sacramento River East Levee Natomas Basin Evaluation," February 1, 2006, **EXHIBIT TEN,** pp. 12, 22, 30, 33, 35, 40, 46, 50, 54-55, 58, 62; "Problem Identification Report, American River North Levee Natomas Basin Evaluation," February 1, 2006, **EXHIBIT ELEVEN,** (failure to meet Corps guidelines for through seepage) pp. 16, 21, 25, 27; and (3) "Problem Identification Report, Natomas Cross Canal Levee Natomas Basin Evaluation," March 14, 2006, **EXHIBIT TWELVE,** pp. 24, 27, 29, 32, 34, 37, 39. The reports recommend construction of deep slurry walls, to depths ranging from 50 to 110 feet deep through and beneath much of the levee system on the Sacramento and American Rivers to attain compliance with Corps standards. A map showing the location of recommended slurry walls is in SAFCA's Draft and Final Natomas Levee Evaluation Study Reports.

Please review **EXHIBIT THIRTEEN,** letter of Jay Punia, General Manager, California State Reclamation Board, September 5, 2006, commenting on City's Greenbriar DEIR, which is applicable to Panhandle and any other project in the Basin. Mr. Punia correctly states that the current FEMA FIRM designation, that Natomas is outside the 100-year flood plain, "is an outdated regulatory designation, which is not supported by the present best available information regarding the integrity of the Natomas levee system." (*Id.*, p 2).

All of the reports and documents cited above, except for the DWR letter dated November 21, 2006, were in City's possession and known to City staff and the project consultant prior to issuance of this DEIR in November 2006. Indeed, our organizations raised these very same issues, and cited the very same documents in our letter to City and LAFCo dated September 5, 2006, commenting on the DEIR for the Greenbriar project, yet City's DEIR for this Panhandle project failed to disclose most of these documents or the information contained therein, and only hinted at the existing flood hazard. A reasonable person can only conclude that City is systematically engaged in a pattern of deliberate deception and concealment of the true condition of the levees protecting the Basin.

It is increasing apparent that the City and Applicant are fast-tracking the Panhandle project for expedited approval, hoping for land use entitlements and start of construction before FEMA issues new a Floodplain Insurance Rate Map ("FIRM") which recognizes that the Natomas Basin, including much or all of the Panhandle project area, is a flood plain with less than 100-year flood protection. Such a designation by FEMA would require City to impose very strong restrictions on new development within the Natomas flood plain, including Panhandle, as a condition of retaining the community's eligibility for FEMA Flood Insurance.

The DEIR, at pp.4.11-5 and 4.11-23, mistakenly asserts that the necessary levee upgrades "are anticipated to be constructed within the next 2 to 5 years." In fact, SAFCA's own

Natomas Levee Evaluation Study, Final Report, July 14, 2006, "Final Report Summary" states that 2012 is the targeted date of completion, assuming that the first construction contract is executed in 2007. See also Table FR-1 of the "Final Report Summary", *supra*.

Does City disagree with SAFCA's estimate of the date of completion of levee improvements (2012)? If so, please explain why.

Does City contend that SAFCA will be able to achieve 100-year flood protection, under current Corps and FEMA criteria, prior to 2012? If so, please explain why.

Does City contend that the levees protecting the Basin meet the current FEMA standards for 100-year flood protection? If so, please explain in detail how the levees protecting the Basin meet current FEMA and Corps standards for certification as providing 100-year flood protection, and please disclose all documents and engineering reports supporting such a contention. Such discussion should consider all of the documents referenced above which state that portions of the levees do not meet current Corps criteria for 100-year flood protection.

What is the likelihood, expressed in percentage of occurrence of a flood event occurrence equal to, or exceeding, the FEMA 100-year flood event occurring during any one-year period? What is the mathematical likelihood of such an event during a 30-year period? Please provide documentation and calculations which support the answer.

Using current Corps of Engineers hydrologic engineering criteria, please disclose the estimated water surface elevation and flood depths estimated to occur at the highest and lowest present elevations of the Panhandle project during both a 100-year flood event and a 200-year flood event on the Sacramento River, and, alternatively, the American River.

Please describe the anticipated physical impact, upon persons and property, of flooding of the project site in the event of levee failure during estimated 100-year and 200-year flood events.

The DEIR, pg. 4.11-5 erroneously asserts that the Natomas Levee Evaluation Report estimate that the required levee improvements would cost approximately $270,000,000. The Recirculated DEIR should state that SAFCA's Levee Evaluation Report, July 14, 2006, "Final Report Summary" states that the "fully funded cost of the project, assuming a annual 10% escalation rate, could rise to $414 million, " assuming that the project starts in 2007 and is completed during 2012.

Please identify the amount and sources of all funding which has been approved, authorized and appropriated, or is actually available now or is committed to being available when needed, to pay for the upgrades necessary to provide FEMA 100-year and 200-year levels of protection. Please identify and provide supporting documentation.

Please disclose and identify anticipated sources of funding which have not yet been approved or committed. Please disclose why City believes that that such funding will be approved?

Please describe what the City has done to fund the future upgrading of the levees protecting the Natomas Basin. How much money has City contributed, or has committed to contribute, to efforts to upgrade the levees, since January 2005?

What actions is City undertaking to comply with the request of the Director of the California Department of Water Resources (**EXHIBIT THREE** p. 2) to limit new construction in Natomas Basin until the levees are upgraded and re-certified by the Corps as providing adequate protection against the FEMA 100-year flood event?

Does the City intend to comply with the request of the California Department of Water Resources **(EXHIBIT THREE**, p. 2) to limit new construction in the Basin "until minimum flood protection is achieved"?

If the City does not intend to comply with his request, please explain why.

b. Mitigation Measures

Proposed Mitigation Measure 4.11.3, states that if FEMA decertifies the levees , the applicant shall implement one of the following mitigation measures, to be terminated upon re-certification by FEMA: either (a) raise building pads high enough to remove structures from the 100-year floodplain as identified by FEMA in its decertification, , or; (b) developer would participate in a regional mechanism for funding the upgrade of levees to the FEMA 100-year level of protection. However, neither measure would be applicable to construction started prior to FEMA's de-certification, thereby leaving the residents of those homes vulnerable to deep flooding. The regional funding mechanism hypothesized by MM 4.11.3 does not exist.

These Mitigation Measures obviously fail to mitigate for impacts of flooding as to those structures built prior to FEMA's re-mapping of Natomas Basin as a flood plain. Moreover, the regional funding mechanism hypothesized by MM 4.11.3 even if implemented, provides no mitigation until the levees are upgraded and certified by the Corps as adequate to protect the Basin against the FEMA 100-year flood event, or such greater level of protection that the Corps may deem adequate to provide a safe level of flood protection for an urban area. Mere payment of money to a levee repair fund (if one then exists) as required by MM 4.11.3 provides no flood protection. Flood protection is only provided by upgraded levees.

Does the levee repair fund described in MM 4.11.3 presently exist? If so, please describe.

Until necessary levee upgrades are completed and certified by the Corps as adequate to protect the Basin against the FEMA 100-year flood event, will the City require that Panhandle landowners, developers and their successors-in-interest, employees, and agents, including real estate brokers, provide written disclosure to all prospective buyers, lenders, bond, and insurers of property within Panhandle of (1) the Corps determination that levees surrounding the Basin may fail during high water events which are less than the FEMA 100-year flood; and (2) the anticipated flood depths at

Panhandle, as estimated by the Corps, in the event of levee failure during 100-year FEMA flood event, and also during a 200-year FEMA flood event?

If the City will not require such written disclosures, explain why not.

Will the City provide such written disclosures? If not, please explain why not.

If the City will not require such written disclosures, will the developer applicants provide such disclosures? If not, please explain why not.

Will City require all owners of residential and commercial property in Panhandle to buy and maintain FEMA flood insurance, until the levees are re-certified by the Corps? If not, please explain why.

The letter of Lester Snow, Director of California Department of Water Resources, to Mayor Fargo, November 21, 2006, recommends that the City undertake a number of actions to protect the public against the current high risk of flooding, pending completion of the levee upgrades. **(EXHIBIT THREE,** p. 2**)**.

For each measure listed by Director Snow, please state (1) whether City will implement those measures, and (2) if the City will not implement any of these measures, please explain why not.

We suggest the following alternatives:
(a) Consideration of annexation, and development be deferred until levee upgrades are complete, and the Corps has certified that the levees meet the FEMA and Corps of Engineers criteria for 200-year flood protection. If the annexation is approved by LAFCO, it should be subject to the above conditions, which should be enforceable by LAFCo and citizen suits.

(b) If LAFCO approves the annexation without conditioning development upon completion and certification of levee upgrades as meeting the FEMA and Corps criteria for 100 or 200-year flood protection, then LAFCO should require, as conditions of approval, that all structures be built at least 3 feet above the 100-year flood elevation, as determined by the Corps, that flood insurance be required, that City undertake those measures recommended by Lester Snow, Director of California Department of Water Resources, in his letter to Mayor Fargo, dated November 21, 2006 **(EXHIBIT THREE**) and that the City develop an evacuation plan for Natomas Basin, to be implemented in the event of levee breach.

c. The DEIR failed to consider effect of global warming in its analysis of flood hazards threatening the Natomas Basin

The DEIR fails to disclose, analyze or consider the possible effect of global warming on the frequency and elevation of high water conditions in the Sacramento or American Rivers, and thus the potential for flooding of Natomas Basin. A Recirculated DEIR should do so.

It is now generally recognized that global warming will, among other things, lead to (1) sea level rise, and (2) generally warmer winters in California. **See,** for example, California Dept. of Water Resources, "Progress on Incorporating Climate Change Into Planning and Management of California's Water Resources: Technical Memorandum," July 2006. Sufficient modeling data now exists to permit estimates of risk in future years.

The elevation and flow of the Sacramento and American Rivers adjacent to Natomas Basin, are affected by the level of the sea and tidal action, particularly during winter and spring, when the tides are the highest and when the flows of the Sacramento and American Rivers are the greatest. The juxtaposition of high tide and high river flows led to the near-overtopping of the Sacramento River east levee, at Sacramento, in l987. It is logical to conclude that the predicted rise in sea level, accompanied by a correlating rise in the elevation of the tides, may affect the influence of high tides on the surface elevation and flow of the Sacramento River. A probable consequence would be to increase the river's surface elevation beyond what it is under today's tidal conditions.

Assuming, hypothetically, that winter and spring precipitation remains the same, and that the prediction of generally warmer winters is accurate, then a larger proportion of the winter and spring precipitation on the Sacramento and American River watersheds will be in the form of rainfall, which drains to the Sacramento and American Rivers, and a lesser proportion will be retained as snowpack, which melt more gradually in the spring. This phenomenon has already been observed occurring in recent years, as northern California's winter snowline shifts to higher elevation, and rains more frequently fall onto snowpack during winter.

The scenario of sea level rise and warmer winters during the lifetime of the Panhandle project have potential to lead to increased volume and surface elevation of the 100-year flood event, and more frequent occurrence of what is recognized by the Corps today as the 100-year flood event under present conditions.

Thus, the Recirculated DEIR should base its analysis of flood hazard not only on the present flows of the Sacramento Rivers, but also on the projected future flows and surface elevations during the lifetime of the project which take into account climate change, including the effects of (1) rising sea level, and (2) a higher proportion of winter precipitation being in the form of rainfall, possibly leading to increased rate and volume of runoff during the winter and early spring. Recent scientific studies regarding the effect of global warming on California's future climate and water regime are readily available from the State of California global climate change website.

Climate change in the near future which will affect sea level and flows of the Central Valley rivers is now recognized as something that will happen, and cannot be dismissed as too speculative for analysis and consideration in an EIR for a project which is protected from deep flooding by levees which the Corps has determined do not meet even the FEMA standards for protection against the 100-year flood event.

d. Exposure Of City And Possibly LAFCO To Legal Liability For Consequences Of Flooding Of Project Approved With Knowledge That Project Was Exposed To Hazard Of Flooding

The *Paterno* decision found the State of California liable for damages to persons and property arising from a 1986 levee breach because the State knew that a levee section was defective and did not make repairs. The full scope of governmental legal liability for damages due to flooding have not yet been determined. The City does not address the issue of liability for approving development in areas that are not safe. The City exposes itself to future court or legislative action that will extend liability to local government, such as the City of Sacramento when it exercises its discretion to approve a project in a floodplain with full knowledge that engineers and the Corps have determined that the project site has less than 100-year flood protection. Despite SAFCA's plans for upgrading the levees, which are not yet funded and which cannot be implemented until fully funded, the project site and the entire Natomas Basin, will be remain exposed to unreasonable flood hazard until the levees are upgraded to a level sufficient to protect against flood hazard.

Be assured that if there is a levee breach, and massive damage therefrom, the City will be one of the defendants named in the resulting lawsuits.

The cost of defending litigation and paying awards of damages may significantly impact the environment to the extent that City's ability to perform those functions which would benefit the environment (e.g.: trash collection, parks) may be impeded by the diversion of resources to defending litigation and paying damages. The DEIR should address the potential for such impacts.

LAFCO should also consider that its approval of this annexation, with full knowledge of City's intention to permit residential development of the Panhandle without adequate flood protection, may carry the possibility of exposing LAFCO to potential liability in the event of levee breach and flooding.

2. <u>Development of the Panhandle Would Violate Sacramento General Plan Section 8, Health and Safety, Goal A, Policy One (Flood Hazards)</u>

Development on the Panhandle site prior to upgrade of the levees to 100-year level of flood protection (current FEMA and Corps standards) would be inconsistent with Sacramento City General Plan Section 8, Goal A, Policy One, Flood Hazards, which states:

> "<u>Prohibit development of areas subject to unreasonable risk of flooding</u> unless measures can be implemented to eliminate or reduce the risk of flooding." (DEIR p. 4.11-10.)

DEIR p. 4.11-10 states that the project is consistent because "it is currently located in FEMA Zone X, designating areas protected from 100-year flood by levees." As stated above, the Corps, DWR, and SAFCA have determined that Natomas Basin, including the Panhandle, is not protected from flooding at the 100-year level. The current designation of Natomas Basin as being in FEMA Zone X is outdated and is based on a Corps opinion which was formally withdrawn.

Lester Snow, Director of DWR, in his letter dated November 21, 2006, **EXHIBIT THREE,** p. 2, first paragraph, states that "with less than 100-year flood protection, the chance of homes [in Natomas Basin] flooding over the next 10 years is approximately 10 percent."

The Director of the California Department of Water Resources has stated that Natomas is at high risk of flooding from the Sacramento or American Rivers due to having less than 100-year flood protection. (see **EXHIBIT THREE** p. 1.) The Executive Director of SAFCA, *supra,* has stated that less than 100-year flood protection is "high risk"? (See **EXHIBIT SEVEN,** p. 1) If not, please explain why not.

Does City believe that the expert opinions of the Directors of DWR and SAFCA is conclusive evidence that there is "unreasonable risk of flooding", which requires prohibition of development in the Basin under General Plan Section 8, Goal A, Policy One (Flood Hazards), *supra*?

If not, please explain why City believes that there is not unreasonable risk of flooding which triggers the prohibition against development in the Basin pursuant to General Plan Section 8, Goal A, Policy One (Flood Hazards).

Isn't new development Panhandle project site inconsistent with this General Plan policy?

If City believes that new development on the Panhandle project site, prior to upgrading of the levees to 100-yer level of flood protection as determined by current Corps standards, is consistent with General Plan Policy One, Flood Hazards, please explain why.

3. Development of the Panhandle Would Violate the North Natomas Community Plan Flood Control Policy Guiding Policy A

Development on the Panhandle site prior to upgrade of the levees to 100-year level of flood protection (current FEMA and Corps standards) would be inconsistent with the North Natomas Community Plan Flood Control Guiding Policy A, which states:

"One hundred year flood protection must be obtained prior to any new residential development in the North Natomas Community." (DEIR p. 4.11-12.)

The DEIR, p. 4.11-12, states that "this level of flood protection has been previously obtained", which was once believed to be true. Per the documents and reports cited and discussed above, it is now known that the Basin does not have 100-year flood protection, which is known to City. City's assertion in this DEIR that the Basin currently has 100-year flood protection is dishonest.

City cannot rely upon the fact that FEMA's Flood Insurance Rate Map (FIRM) still shows the Basin as outside the 100-year flood plain. Per the documents cited above, the Basin clearly does not have 100-year flood protection.

4. Flood Hazard for the Basin Has Increased Since 1997 Due to Levee Improvements On the Feather and Yuba Rivers Upstream of Sacramento

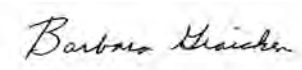
The DEIR, p. 4.11-2, references the "demonstrated ability of the applicable levees to withstand high flows in the Sacramento and American Rivers during the storms of l997.

The DEIR fails to disclose that the east levee of the Feather River failed in the l997 storms, thereby causing the diversion of a large volume of water into the Middle American Basin, between Yuba City and the Bear River, and its temporary detention during the remainder of the flood. Had the Feather River levee held, this volume of water would have passed by Sacramento at the height of the l997 event. Whether the Sacramento River levee would have held if the Feather River levee had not failed in l997 is unknown. The same situation occurred in the l986 flood event.

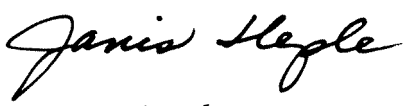
During the past two years, those parts of the Feather and Yuba River levees which failed in l986 and l997, and other vulnerable portions of the Feather-Yuba-Bear River levees have been upgraded. Consequently, it is much less likely that the Feather-Yuba-Bear River levees will fail during a future major storm event. Consequently, the DEIR should re-examine its assessment of the likelihood of flooding in light of the fact that the area east of the Feather River upstream of Sacramento is much less likely to provide a de fact "detention basin" during future major storm events.

We hope these comments are helpful in clarifying community concerns about the proposed Panhandle project area development.

Sincerely,



Barbara Graichen, President
Natomas Community Association
916-991-2177



Janis Heple, Chair
Sacramento Group, Sierra Club

Andy Sawyer, President
Environmental Council of Sacramento
916-442-4215

Jude Lamare, President
Friends of the Swainson's Hawk
916-447-4956

James P. Pachl
Attorney at Law
717 K Street, Suite 534
Sacramento, California, 95814
Tel: (916) 446-3978
Fax: (916) 447-8689 jpachl@sbcglobal.net

May 24, 2007

Chair and Members
Sacramento City Planning Commission
915 I Street
Sacramento, Ca. 95814

Re: M05-031/P05-077 Northgate 880/Panhandle

Dear Joseph Yee, Chair, and Members of the Commission,

I represent Sierra Club, ECOS - The Environmental Council of Sacramento and Friends of the Swainson's Hawk. We filed extensive comments on the DEIR. We learned about the hearing earlier this week and are requesting more time to be able to review the FEIR and comment in detail. Staff did not mail notices of availability of the FEIR, nor the FEIR, to us. Staff also advises that it did not send notice of this hearing to us, although it appears that a notice of hearing but not notice of availability of the FEIR was sent to ECOS. We understand that other parties received copies of the FEIR on Saturday May 19, which leaves much too little time for review of an FEIR for a project with controversial issues.

We object to the approval of the project as presented.

1. Certification of EIR. CEQA Guidelines § 15025(b) and (c) prohibit certification of an EIR by the Planning Commission in projects where the Planning Commission sits as an advisory body to make a recommendation on the project to a decision-making body (Board of Supervisors).

CEQA Guideline § 15025 (b)(1) states:

"(b) The **decision-making body** of a public agency **shall NOT delegate** the following functions:

(1) Reviewing and considering a Final EIR or approving a Negative Declaration prior to approving a project."

CEQA Guideline § 15025 (c) states:

"(c) Where an advisory body such as a planning commission is required to make a recommendation on a project to the decision-making body, the advisory body shall also review and consider the EIR or negative declaration in draft or final form."

Guideline 15025, like many of the CEQA Guidelines, is followed by Discussion by the drafters intended to provide interpretation of the Guideline (c) says (attached.):

> "Subsection (c) reflects an administrative interpretation **which applies the requirements of CEQA to advisory bodies**. **Such bodies** need not and **may not certify an EIR**, but they should consider the effects of a project in making their decisions."

Here the Commission is only advisory to the Council on most aspects of the project approval, including key elements such as application for annexation and amendment of the General Plan. The decisions proposed for the Commission to approve cannot be implemented without the Council approval of all of the other elements of the staff recommendation.

2) Definition of Flood Hazard Safety Measures. The FEIR and staff report recommend that the project mitigate placing new houses in a flood hazard area by compliance with those conditions that will be imposed by FEMA which are predicted to be in the AE Zone, AR Zone and/or A99 Zone. However, the FEIR and staff recommendation fail to disclose what levels of safety are required by each FEMA zone. A 99 zone, for instance, requires no protections at all. CEQA requires information like this to be disclosed to the public and decision makers so that informed opinions based on fact can be developed before making decisions about approvals.

The environmental community and community associations in Natomas have asked the City to adopt a moratorium on further development entitlements in the Natomas Basin until the levees are repaired. This proposed project approval and accompanying EIR fail to adequately disclose the full consequences of improving more development now, and the EIR does not respond adequately to the request for a moratorium on growth approvals in the face of very high uncertainty about future flood protection.

3) Open Space Buffer. The SACOG Blueprint principles do not justify eliminating the open space buffer from the community plan as claimed by staff. The EIR fails to respond to our comments on the importance of maintaining the open space buffer as originally planned. The Staff recommendation refers to Smart Growth Principles that do not address transitions between urban uses and rural and natural conservation areas. Moreover, the EIR alternative that includes the Open Space Buffer on the east side of the project area has higher density land uses and is very compatible with the Blueprint principles.

4) Finance Plans. As we pointed out in the DEIR, the Finance Plan should be circulated for a 45 day review period. That has not been done. Moreover, the mitigation program now refers to two financing plans, including a future finance plan for all park, trails, open space/parkway or other open space areas:

> Finance Plan: The Applicant shall provide a Finance Plan for the project prior to final map approval that includes the development of all designated park facilities, trails, open space/parkway or other open space areas anticipated to be maintained by the City of Sacramento Department of Parks and Recreation. The Plan shall include all improvements costs associated with the designated park facilities, trails, open space/parkway or other open space areas along with ongoing maintenance and operation costs for these facilities in perpetuity.

The public has a right to review of any Finance Plan as an integral feature of the mitigation program. The public and decision makers cannot form an opinion on the feasibility of the trails, open space and parks without an opportunity to review and comment upon the financing plan prior to project approval. To postpone the financing plan until after project approval is a violation of CEQA.

5. **Agricultural Land Impacts Not Mitigated.** The project has significant direct and cumulative impacts on preservation of agricultural lands. Mitigation Measure 4.2.1 proposes to "stack" mitigation of loss of agricultural land onto the mitigation requirement established by the Natomas Basin Habitat Conservation Plan for protection of threatened species.

> Mitigation Measure 4.2.1 (From MMP). The Applicant shall protect one acre of existing farmland of equal or higher quality for each acre of Prime Farmland or Farmland of Statewide Importance that would be converted to non-agricultural uses in the Panhandle PUD. This protection may consist of the establishment of farmland easements or other appropriate mechanisms. The farmland to be preserved shall be located within the County. This mitigation measure may be satisfied by compliance with other mitigation requirements involving the permanent conservation of agricultural lands and habitat.
> This impact is significant and unavoidable.

As we have stated previously in comments on the DEIR, it is not appropriate to use habitat lands to mitigate for agricultural impacts.

> "There is no substantial evidence that preservation of habitat mitigation land under the NBHCP will also mitigate for loss of farmland. The farmland and endangered species habitat mitigation requirements having differing goals which in some instances are incompatible. Mitigation for loss of agricultural land is intended to preserve production agriculture. By contrast the Natomas Basin Conservancy is mandated to manage its land as “high quality habitat” for covered species, notably the threatened Giant Garter Snake and the Swainson’s Hawk. Twenty-five percent of NBC land is required to be converted to managed marsh, a non-agricultural use, and another 25% managed for high quality upland habitat values, which, due to soil and agricultural market conditions, is nearly impossible to achieve in the Basin on land managed for production agriculture. Moreover, it cannot be determined whether “stacking” can succeed for Panhandle’s agricultural and habitat mitigation, because no land has been identified for the proposed mitigation of habitat and agricultural impacts of the Panhandle project."

Very Truly Yours,

JAMES P. PACHL, Attorney

TEXT OF CEQA GUIDELINE SECTION 15025

15025. Delegation of Responsibilities

(a) A public agency may assign specific functions to its staff to assist in administering CEQA. Functions which may be delegated include but are not limited to:

(1) Determining whether a project is exempt.

(2) Conducting an Initial Study and deciding whether to prepare a draft EIR or Negative Declaration.

(3) Preparing a Negative Declaration or EIR.

(4) Determining that a Negative Declaration has been completed within a period of 180 days.

(5) Preparing responses to comments on environmental documents.

(6) Filing of notices.

(b) The decision-making body of a public agency shall not delegate the following functions:

(1) Reviewing and considering a final EIR or approving a Negative Declaration prior to approving a project.

(2) The making of findings as required by Sections 15091 and 15093.

(c) Where an advisory body such as a planning commission is required to make a recommendation on a project to the decision-making body, the advisory body shall also review and consider the EIR or Negative Declaration in draft or final form.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21082, 21100.2 and 21151.5, Public Resources Code; *Kleist v. City of Glendale*, (1976) 56 Cal. App. 3d 770.

Discussion: This section is a recodification of former Section 15055 with one additional feature. The section is necessary in order to identify functions in the CEQA process that a decision-making body can delegate to other parts of the Lead Agency. The agency can operate more efficiently when many functions are delegated to the staff rather than requiring the decision-making body to perform all the functions.

Subsection (b) codifies the holding in *Kleist v. City of Glendale* by identifying the functions that cannot be delegated. The functions of considering the environmental document and making findings in response to significant effects identified in a final EIR are fundamental to the CEQA process. These steps bring together the environmental evaluation and the decision on the project. This section is intended to assure that the environmental analysis of a project is brought to bear on the actual decision on the project. The section also serves to guide agencies away from practices that have been ruled invalid.

Subsection (c) reflects an administrative interpretation which applies the requirements of CEQA to advisory bodies. Such bodies need not and **may not** certify an EIR, but they should consider the effects of a project in making their recommendations. This section also suggests that advisory bodies may consider a draft EIR.
(Underlining added for emphasis/ jpp)

NORTH NATOMAS TRANSPORTATION MANAGEMENT ASSOCIATION
1918 Del Paso Road, Suite 100 | Sacramento, CA 95834 | P: (916) 419-9955 | F: (916) 419-0055

April 18, 2016

Garrett Norman
Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811-0218

Re: Panhandle Annexation
File # - P16-013

Dear Garrett,

Thank you for the opportunity to make initial comments on the Panhandle Annexation proposed project. We are pleased and excited for this project to get re-ignited and request consideration of the following:

- Design and construction of Del Paso Rd. bike path on the north side and included in the PUD guidelines, as a condition of approval, and as part of the tentative map.
- Design and construction of bike/pedestrian trail, length of Ninos Parkway early on, included in the PUD guidelines, as a condition of approval, and as part of the tentative map. This is indicated on the master parcel map.
- Class 4 bike path on National Drive (evaluate timing of construction of Ninos Parkway bike path and if it goes in early, no need for National Drive Class 4).
- Class 1 bike path aside Sorento Rd. leading from Del Paso Rd. to Elkhorn Blvd.
- Solid bike/pedestrian path connections to schools from Ninos Parkway bike path.
- Connect Ninos Parkway bike path to East Levee Rd. on southern/northern ends of Village 15.
- Re-orient Ninos Parkway bike path so it will exit at corner of Sorento Rd. and Del Paso Blvd. This will allow orientation of future east connection to Ueda Parkway bike path.
- Financial help with scope, study, construction of bike path from east corner of Park 1 to Sotnip Rd. Gravel path exists currently.
- Orient the commercial center to the west for bike/pedestrian usage. Concern exists for loading docks, trash receptacles and similar, open for public view no matter how the orientation.
- 10' sidewalks around schools.
- Construct Club Center Dr. mirroring its development to the west – divided sidewalks, landscape, no walls, and homes side-orientation.
- Construct bike/pedestrian path as an extension from Club Center to the west, through to Ninos Parkway and further to Sorento Road. Homes constructed alongside to be oriented so eyes see path.
- Construct bike/pedestrian path from Barros Rd, across Park 3/Open Space 2 connecting with Ninos Parkway bike path.

What TMA obligations will be imposed upon Panhandle? Will obligations include inclusion in CFD #99-01?

We are interested in receiving updates on this project and again, appreciate the opportunity to comment.

Sincerely,

Becky Heieck

Becky Heieck
Executive Director
North Natomas Transportation Management Association

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

March 17, 2016

Mr. Garrett Norman
Assistant Planner
City of Sacramento'300 Richards Street 3rd floor
Sacramento, California 95811

Subject: Panhandle Annexation File #P16-013

Dear Mr. Garrett:

Please be advised that the Board of Directors for the Rio Linda Elverta Recreation and Park District met on March 16, 2016 to provide direction to the District Administrator relative to the proposed Panhandle Annexation.

Since the proposed annexation is entirely within the District's boundaries the Board of Directors will support the proposal conditional upon it remaining the park and recreation service provider for the area within the proposed annexation area. This is the same model used by the Consumes Community Services District and the City of Elk Grove.

Should you have please contact David Wigginton, District Administrator at 916.991.5929. Thank you for your time and consideration.

Sincerely,

Lisa L Morris

Lisa L. Morris, Chair
Board of Directors
Rio Linda Elverta Recreation and Park District

810 Oak Lane
Rio Linda, CA 95673
916/991-5929 ~ Fax 916/991-2892
www.rleparks.com

SACRAMENTO METROPOLITAN
AIR QUALITY
MANAGEMENT DISTRICT

Larry Greene
AIR POLLUTION CONTROL OFFICER

April 8, 2016

Submitted Via Email

Garrett Norman
Assistant Planner
City of Sacramento Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, California 95811
Phone: (916) 808-7934
gnorman@cityofsacramento.org

Subject: **Panhandle Annexation *(P16-019)***

Mr. Norman,

The Sacramento Metropolitan Air Quality Management District (The District) thanks the City of Sacramento for the opportunity to comment on the proposed project. The District is required by law to "represent the citizens of the Sacramento district in influencing the decisions of other public and private agencies whose actions may have an adverse impact on air quality within the Sacramento district[1]. We offer our comments in that spirit.

Potential Impact:

This project is not anticipated in the *Sacramento Area Council of Government's Metropolitan Transportation Plan & Sustainable Communities Strategy* (SACOG MTP/SCS) land use scenario. Consequently, the SMAQMD recommends that the project proponents create an AQ-35 mitigation plan with measures to reduce the operational emissions of criteria Air Pollutants by 35%.

The District anticipates that is project will be significant for short-term, (construction) and long-term (operational) emissions; the environmental document should include an analysis & mitigation consistent with the District's CEQA Guide[2].

Project Design:

A strong commitment to Bicycle & Pedestrian-friendly design may reduce the projects operational impacts. The District recommends that the City include requirements for a well-designed off-street network of bicycle & pedestrian pathways, short-term bicycle parking for visitors, and long-term bicycle parking for residents. The project should include bicycle and pedestrian points of access at all entryways.

Additionally we recommend that the City require Low Impact Development design features. Examples might include drought-tolerant landscaping for maximum air quality benefit, developer-purchased electric lawnmowers for new residential units with occupant-maintained lawns, & low-maintenance landscaping in common areas.

[1] California Health and Safety Code §40961
[2] SMAQMD CEQA guide to Air Quality Assessment: http://www.airquality.org/ceqa/ceqaguideupdate.shtml

# #

General Comments:

All projects are subject to District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling (916) 874-4800. The District thanks the City of Sacramento for the opportunity to comment on this project. If you have additional questions or require further assistance, please contact me at jhurley@airquality.org or (916) 874-2694.

Sincerely,

-JJ Hurley

Joseph James Hurley
Planner/Analyst
Sacramento Metropolitan Air Quality Management District
916.874.2694

Attachments: SMAQMD Rules & Regulations Statement

# #

SMAQMD Rules & Regulations Statement (revised 3/12)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour. The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

Rule 417: Wood Burning Appliances. This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 460: Adhesives and Sealants. The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Naturally Occurring Asbestos: The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas “Moderately Likely to Contain Asbestos” within eastern Sacramento County. Asbestos Airborne Toxic Control Measures, Section 93105 & 93106 contain specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

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

Serious drought. Help save water!

March 9, 2016

032016-SAC-0029
03-SAC-80 / M 4.45
P16-013

Mr. Garret Norman
Community Development
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Panhandle Annexation – Application

Dear Mr. Norman:

Thank you for including the California Department of Transportation (Caltrans) in the application review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl. The project is located within the North Natomas Community planning area, bounded by Elkhorn Blvd. on the north, Sorento and East Levee Roads on the east, Del Paso Road on the south, and the current City boundary on the north. The project was originally initiated via adoption of resolution by the City in September 2000, which commenced activities to annex the northern and southern sections of the Panhandle but was purposely withdrawn in 2007. Currently, with the southern portion (835-acres) of the original site already built-out, the project proposes annexation of the northern section (approximately 1,430-acres) of the Panhandle. The Panhandle's land use plans include zoning for approximately 1600 residential dwelling units, three schools, a shopping center, open spaces for two parks and a detention basin, and major roads and collector streets. Various entitlements are proposed along with annexation including a general plan amendment, pre-zoning, a tentative master parcel map, a planned unit development guidelines and schematics plan, and a development agreement. The following comments are based on the Application.

Traffic Impact Analysis

Consistent with the State's smart mobility goals, Caltrans recommends the applicant perform analysis to identify traffic impacts in terms of Vehicle Miles Traveled (VMT) for a broad project

traffic travel area. Specifically, Caltrans would like the analysis to include any needed VMT-reducing mitigation that results from increased VMT from this project on the State Highway System. Mitigations to reduce VMT could include adjustments which make the project more travel efficient or induce mode shift opportunities such as increased infrastructure for transit, walking, bicycling, etc.

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

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

Sincerely,

Eric Fredericks

ERIC FREDERICKS, Chief
Office of Transportation Planning – South Branch

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

18 March 2016

Garrett Norman
City of Sacramento Community Development
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

CERTIFIED MAIL
91 7199 9991 7035 8422 5998

COMMENTS TO REQUEST FOR REVIEW FOR THE PANHANDLE ANNEXATION PROJECT, SACRAMENTO COUNTY

Pursuant to the City of Sacramento Community Development's 11 February 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review* for the Panhandle Annexation Project, located in Sacramento County.

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

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the

USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

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

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

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

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

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

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

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

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

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

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

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

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

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

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Stephanie Tadlock
Environmental Scientist

BRIGIT S. BARNES & ASSOCIATES, INC.
A LAW CORPORATION

Brigit S. Barnes, Esq.
Annie R. Embree, Esq.
Of Counsel

Asset Preservation, Land Use and Environmental Paralegal
Jaenalyn Killian

Legal Assistant
Noreen Patrignani

3262 Penryn Road
Suite 200
Loomis, CA 95650
tel: 916.660.9555
fax 916.660.9554
www.landlawbybarnes.com

June 28, 2016

Via Email and Regular Mail
Email: GNorman@cityofsacramento.org

Garrett Norman
Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: Notice of Meetings, Hearings related to Properties Affected by Panhandle Annexation;
Application File No. P16-013
Applicant: John Hodgson, TheHodgsonCompany.com

Dear Mr. Norman:

This office has been retained by RagingWire Data Centers, which owns or operates five properties located in the developed portion of the Panhandle Area within the County of Sacramento: that portion south of Del Paso Blvd., described as "the Pan". The addresses for these data centers are 1200 Striker Avenue, 1312 Striker Avenue, 1625 West National Drive, 1701 West National Drive, and 1045 West National Drive. Our client is very concerned that the viability of its ongoing operations may be affected by the City's annexation of properties within the Panhandle.

This office requests notice of all Meetings, Hearings, and requests for comments, or comments, issued by your department/agency related to the Panhandle Annexation. We make this individual department/agency request because we are informed that the Planning Department believed our prior request applied only to that Department, and not all departments within the City of Sacramento which have or may have jurisdiction over aspects of the project.

Please provide notices or comments to this office at the address provided on our letterhead (my email is bsbarnes@landlawbybarnes.com), and to Mr. Frank Watson, Esq. whose address is: 1849 Iron Point Rd., Suite 140, Folsom, CA 95630. Mr. Watson's email is frank@ftw-law.com.

Sincerely,

Brigit S. Barnes

cc: Client

RagingWire\SpecialNotices\Community Development-Norman

BRIGIT S. BARNES & ASSOCIATES, INC.
A LAW CORPORATION

Brigit S. Barnes, Esq.
Annie R. Embree, Esq.
Of Counsel

Asset Preservation, Land Use and Environmental Paralegal
Jaenalyn Killian

Legal Assistant
Noreen Patrignani

3262 Penryn Road
Suite 200
Loomis, CA 95650
tel: 916.660.9555
fax 916.660.9554
www.landlawbybarnes.com

June 14, 2016

Via Email and Regular Mail

City of Sacramento
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
Attn: Lindsey Alagozian, Senior Planner
LAlagozian@cityofsacramento.org
Attn: Garrett Norman
GNorman@cityofsacramento.org

Re: Panhandle Annexation / Scoping Comments

Dear Ms. Alagozian and Mr. Norman:

As you know, this office represents RagingWire Data Centers, Inc. ("RagingWire").

This letter is intended to request formal clarification related to Ms. Alagozian's discussion of the nature of the Scoping Meeting held May 9, 2016. My client never received any kind of notice of the Scoping Meeting, even though the actions of the City will have a direct impact on its properties.

Ms. Alagozian told me on June 9, 2016 that the meeting had been held May 19, that no deadlines had been set, and that planned annexation was for north of the "Pan" section where my client owns properties. I emailed her on June 9, 2016, confirming what she told me, and asking that I receive notice of all matters related to the Panhandle Annexation, and the Scoping Session.

Imagine my surprise to discover today on the City's website, the notice of the Scoping Meeting, actually held May 9, not May 19, and that all comments were due June 13, 2016. Not only was the information that Ms. Alagozian provided me incorrect, but no one in her office or Mr. Norman's office informed me that her information was incorrect.

I am particularly concerned to discover that although no zoning change is anticipated for the already developed "Pan" area, the City does intend to annex this area based on the Scoping Notice attached. There is substantial confusion regarding the scope of this annexation, because City notes received pursuant to RagingWire's Public Records Act request indicate that the February 2016 Project Description showed the same 589+ acres to be annexed, but that the property south of Del Paso Blvd., which had been included in the prior 2007 application request, had been withdrawn from the current application request. Nevertheless, the City's Scoping Meeting Notice specifically states:

> "The area to the south of Del Paso Road, between Del Paso and I-80, Northgate Boulevard and Gateway Park Boulevard, comprising approximately 835 acres, will also be considered for annexation."

Therefore, please ensure that among the issues considered in the draft EIR, City's Community Development Department includes the following issues in its consideration:

- Loss of open space, including prime farm land;
- Full discussion of traffic impacts, through the Project Area and the Pan, especially plans for traffic feeding off Del Paso Blvd.;
- Analysis of the Project's compliance with AB-32, especially in light of CBD v. Calif. Dept. Fish & Wildlife [Newhall] (2015) 62 Cal. 4th 204.
- Air Quality;
- Flooding issues, related to proposed detention plans;
- Adequacy of WWTP plan;
- Flood Plain analysis;
- Damage to wetlands, riparian issues; and
- Internal inconsistencies with annexation plan between north and south of Del Paso Blvd., especially Financial Plan issues.

Sincerely,

Brigit S. Barnes

Enclosures: June 9, 2016 email
City of Sacramento Notice of Scoping Meeting

cc: Client [Jim Lahey, Esq.]
Frank Watson, Esq.

RagingWire\City-Sac.L01 Scoping Notice Objections

BRIGIT S. BARNES & ASSOCIATES, INC.
A LAW CORPORATION

Brigit S. Barnes, Esq.
Annie R. Embree, Esq.
Of Counsel

Asset Preservation, Land Use and Environmental Paralegal
Jaenalyn Killian

Legal Assistant
Noreen Patrignani

3262 Penryn Road
Suite 200
Loomis, CA 95650
tel: 916.660.9555
fax 916.660.9554
www.landlawbybarnes.com

June 22, 2016

Via Email and Regular Mail

Ryan DeVore
Community Development Director
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95814
RDeVore@cityofsacramento.org

The Honorable Angelique Ashby
Councilmember for District 1
915 I Street, 5th Floor
Sacramento, CA 95814
AAshby@cityofsacramento.org

Re: Panhandle Annexation Project, P16-013

Dear Mr. DeVore and Councilmember Ashby:

This office represents RagingWire Data Centers ("RagingWire"), which owns or has operational use of five parcels and over 850,000 square feet of developed buildings operated as computer data centers, all located in the developed portion of the Panhandle Area: that portion south of Del Paso Blvd., described as "the Pan". The addresses for these data centers are 1200 Striker Avenue, 1312 Striker Avenue, 1625 West National Drive, 1701 West National Drive, and 1045 West National Drive.

The purpose of this letter is to advise the City that RagingWire opposes all efforts by the City to include the Pan in any City annexation project, and that we have confirmed that Westcore Properties and Gately Properties LLC – which together with RagingWire own over 50% of the assessed value of the Pan – also oppose such annexation attempts.

These owners' reasons for opposition are in many ways similar to those raised to prior annexation efforts from 1998 through 2010 by JB Properties. The City of Sacramento should also be advised that there are two essential problems with the processing of the current application incorporating the Pan which need to be addressed immediately.

The first is the inconsistency in what is being presented by the City as subject to the annexation application. Based on the documents we have received as per our Public Records Act request, the "Handle" applicants initially requested that the City only consider the "Handle" portion of these properties for annexation. Responsive to that request, the Early Notice of the Application [February 23, 2016] identified only the properties within the Handle for consideration as requested by the initial application. Our client does not object to City consideration of that limited initial application for annexation, subject to providing comments after review of possible impacts to the Pan resulting from increased traffic and planned infrastructure connections [sewer, water delivery, traffic designs] to ensure that the proposed project designs and engineering do not adversely affect the rights of property owners and users within the "Pan".

However, the Notice of Preparation [April 27, 2016] expands review of the Project formally to all the properties within the Pan, not just the Handle. This change in scope of the proposed Annexation application is confusing to the public and to our client. To the best of our knowledge, no one within the Pan has requested this expanded review, or to participate in the annexation application identified above. Therefore, the City of Sacramento should republish its Notice of Preparation removing the properties with the "Pan" from the review anticipated by the Notice, and the republished Notice and comments from the public and agencies should accurately consider and reflect that the City will consider only annexation of the Handle areas and comments received related to the original application for the Handle.

Second, despite the City's inclusion of my client's properties and those of the other owners within the Pan for consideration as part of the Annexation without their consent, no notice of the inclusion of these properties, or that a Notice of Preparation was published potentially affecting these properties, was received by RagingWire. Additionally, and speaking for RagingWire, our client did not even receive a copy of the Notice of Preparation so as to timely respond to City's request for comments. Although our office had already begun preliminary conversations with your staff in early June, we were not informed that the Notice of Preparation had been published and that the comment period was set to expire on June 13, 2016. Even after our office requested documents related to the Annexation pursuant to the Public Records Act Request, the Notice of Preparation was never provided. As you must be aware, Government Code §65091(a) (4) mandates notice of proposed actions be provided to all owners of real property to be affected by the matter to be considered.

Because our Client wants to insure that all owners within the Pan area are aware of City's apparent determination to include the Pan as part of its annexation considerations, it is essential that all properties be provided with the relevant notices. Therefore, we ask that all properties within the Pan, and especially the RagingWire properties, be provided with any and all notices of meetings or hearings related to the above-referenced Annexation, given that the owners of these properties will be substantially affected by decisions made by the City of Sacramento. Notice of such meetings and hearings should be sent to RagingWire, care of this office, and to Mr. Frank Watson, Esq. Mr. Watson's address is: 1849 Iron Point Rd., Suite 140, Folsom, CA 95630. Mr. Watson's email is frank@ftw-law.com.

I would very much appreciate an opportunity to meet with you and provide you with the history of prior Panhandle opposition so that these issues can be resolved as soon as possible.

Sincerely,

Brigit S. Barnes

Enclosure:
Notice of Preparation for Panhandle Annexation Project

cc: Client, c/o Jim Lahey, Esq. [via email]
Client, c/o Frank Watson, Esq. [via email]
WestCore Properties [via email]
Gately Properties LLC [via email]

RagingWire\City-Sac.L02