

RESOLUTION NO. 2016-0392

Adopted by the Sacramento City Council

November 10, 2016

ADOPTING FINDINGS OF FACT AND APPROVING A SITE PLAN AND DESIGN REVIEW FOR A STORMWATER OUTFALL FACILITY ON LOT 33a OF THE SACRAMENTO RAILYARDS (P15-040)

BACKGROUND

- A. On October 22, 2015, March 24, 2016, May 12, 2016, June 30, 2016, August 11, 2016, September 8, 2016, September 22, 2016, and October 6, 2016, the City Planning and Design Commission participated in public hearings on the Sacramento Railyard project.
- B. On October 24, 2016, the City Planning and Design Commission conducted a public hearing on the Sacramento Railyards project, and forwarded to the City Council a recommendation to approve, a Site Plan and Design Review for a Stormwater Outfall Facility in the Sacramento Railyards.
- C. On November 10, 2016, the City Council conducted public hearing that was noticed in accordance with Sacramento City Code sections 17.812.010 and 17.812.030 at which it received and considered evidence concerning the Sacramento Railyards project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. Based on the verbal and documentary evidence received at the hearings, the City Council approves the Site Plan and Design Review for a Stormwater Outfall Facility in the Sacramento Railyards (P15-040) set forth in Exhibit A, based on the findings of fact and subject to the conditions of approval as set forth below.
 - A. **Site Plan and Design Review.** The Site Plan and Design Review for a Stormwater Outfall Facility **is approved** based on the following findings of fact:
 - a. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan and any applicable specific plan or transit village plan, in that the Stormwater Outfall will allow infill development within the Railyards site and supports General Policy goals to provide public services to the community and reduce negative impacts on the rivers.

- b. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards and the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards, in that the outfall facility will be designed with materials and massing consistent with applicable design guidelines while fulfilling its unique purpose. The outfall facility will have decorative fencing and be constructed of building materials that will enhance the visual impact of the structure.
- c. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards, in that the tentative map associated with the Sacramento Railyards project requires infrastructure improvements that will adequately serve the Stormwater Outfall.
- d. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood, in that the facility will be located under a freeway and will be surrounded by decorative fencing and building materials that will provide varied color and texture to create an interesting and aesthetically pleasing transition from the Railyards east of the Outfall to the riverfront, located to the west of the site.
- e. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.
- f. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that the stormwater outfall facility is an important facility that will allow development in the Railyards and provide conveyance of stormwater. It's location and operation will not be detrimental to surrounding persons or uses.
- g. State Law (SB 5) and City Code Chapter 17.810 require that the City make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA's Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood

management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016.

B. Site Plan and Design Review. The Site Plan and Design Review for a Stormwater Outfall Facility **is approved** subject to the following conditions of approval:

Planning (Teresa Haenggi)

- A 1. The Outfall/Pump station will be owned and operated by the City of Sacramento and operating requirements of the City may require modification to the design. Changes for operational needs shall be reviewed and approved by the Planning and Urban Design Staff and Utilities staff.
- A 2. The applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
- A 3. Any changes or modifications to the plans shall require additional review and approval of Planning and Urban Design staff.
- A 4. The applicant shall coordinate with and obtain approval from the Urban Design Manager and Police staff on building and site lighting design prior to Plan Check submittal.
- A 5. The applicant shall provide information of the timing of fencing installation and removal and designs of security fencing to staff for review and approval.
- A 6. The applicant shall obtain a sign permit before the fabrication or installation of any signage for the project.
- A 7. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. Any changes to the final set of plans shall be subject to additional review and approval of Planning and Urban Design staff.

Utilities (Inthira Mendoza)

- A 8. Construction of all water, sewer and drainage facilities shall be per the approved drainage, sewer and water studies unless otherwise approved by the Department of Utilities.

- A 9. Per City Code Section, 13.04.070, multiple water service to a single lot or parcel may be allowed if approved by the DOU Development Review and Operations and Maintenance staff. Any new water services (other than fire) shall be metered. Excess services shall be abandoned to the satisfaction of the DOU.
- A 10. Construct DOU approved pump station and discharge pipes, and construct inlet and outlet structures for the pump station at the time specified by DOU. The construction shall be to the satisfaction of the DOU. The applicant is responsible for obtaining all necessary permits, easements and approvals from federal, state and local agencies, and private land owners for the construction of these facilities.
- A 11. The applicant may be required to enter into an agreement with the City for the maintenance of the fence surrounding the pump station or the pump station building itself if it is non-standard (i.e. decorative fence, art wall, etc.). The agreement shall be to the satisfaction of the DOU and the City Attorney.
- A 12. The finished floor shall be a minimum of 1.5-feet above the overland flow release or 1-foot above the 100 year HGL (whichever is higher), or meet current design standards and shall be to the satisfaction of the DOU.
- A 13. This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items, but not limited to, shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- A 14. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
- A 15. The project shall include in the Master Stormwater Quality Management Plan a requirement that all future developed parcels shall meet the Low Impact

Development standards in place at the time of permit submittal. Post construction (permanent), stormwater quality and quantity control measures shall be incorporated into the development to minimize the increase of urban runoff volume and pollution caused by development of the area. This project is required to incorporate source controls, runoff reduction and treatment controls. Specific source controls are required for (1) commercial/industrial fueling areas (2) commercial/industrial loading areas, (3) commercial/industrial outdoor storage areas, (4) commercial/industrial outdoor work areas, (5) commercial/industrial outdoor equipment wash areas, and (6) commercial/industrial/multi-family waste management areas. Permanent storm drain markings (e.g. no dumping -drains to river) is required at all drain inlets. The project is required to treat the “water quality volume/flow” with a combination of accepted treatment control measures such as water quality detention basins, stormwater planters or vegetative swales. The project is also required to incorporate runoff reduction control measures. Some runoff reduction and treatment control measures may be prohibited in certain project areas due to the infiltration constraints. Refer to the “Stormwater Quality Design Manual for the Sacramento and South Placer Regions” dated May 2007 (or latest edition) for appropriate source, runoff reduction and treatment control measures.

- A 16. Section 401 of the Clean Water Act (CWA) requires any applicant for a federal license or permit for activities that may result in discharge into waters of the U.S. to obtain a certification (Water Quality Certification) from the respective State that the project will meet water quality standards. This project will be required to obtain a Water Quality Certification (401 permit) from the Central Valley Regional Water Quality Control Board if building a new pump station and discharge to the Sacramento River in the later phase of the project.

Police Department (William Wann)

- A 17. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K.
- A 18. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.
- A 19. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination

and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.

A 20. Fences shall be of decorative material that is transparent so that pedestrians can identify other pedestrians that they may encounter at corners, etc.

A 21. Applicant shall install a "Knox Box" for police access to the exterior areas of the property after hours.

Advisory Notes

ADV 1. Properly abandon under permit from the County Environmental Health Division, any well or septic system located on the property.

ADV 2. The applicant is responsible for obtaining all necessary permits, easements and approvals from federal, state and local agencies for the construction of the development as proposed in the Specific Plan.

Section 2. Exhibit A is part of this Resolution.

Table of Contents:

Exhibit A: Stormwater Outfall Site Plan

Adopted by the City of Sacramento City Council on November 10, 2016, by the following vote:

Ayes: Members Ashby, Guerra, Hansen, Harris, Jennings, and Schenirer

Noes: None

Abstain: None

Absent: Members Carr, Warren, and Mayor Johnson

Attest:

Shirley Concolino Digitally signed by Shirley Concolino
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City
Clerk, email=sconcolino@cityofsacramento.org, c=US
Date: 2016.12.16 13:16:38 -08'00'

Shirley Concolino, City Clerk

