

REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Public Hearing
March 24, 2009

**Honorable Mayor and
Members of the City Council**

Title: La Valentina Station Project (P08-106)

Location/Council District: East side of 12th Street, between the C Street/D Street alley and E Street (District 3)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) a **Resolution** approving the La Valentina Station project; and 3) an **Ordinance** rezoning a portion of the project, namely, the Station Site, from Residential Mixed Use (RMX) to Multi Family Residential (R-5).

Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110

Presenters: David Hung, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 21001221

Description/Analysis

Issue: The applicant is proposing to construct a mixed-use development comprised of 63 affordable apartment units, approximately 6,000 square feet of ground-floor commercial/flex spaces on approximately 0.87 acre in the proposed Multi-Family (R-5) zone (Station Site) and 18 affordable townhouse-style apartment units on approximately 0.40 acre in the General Commercial (C-2) zone (North Site). The proposal requires a rezone of the Station Site to Multi-Family (R-5) zone, Plan Review for apartments on the Station Site, Special Permits for commercial use on the ground floor, for parking reduction, for vehicular gates and for exceeding allowable building height, and Variances for setback reductions, for exceeding allowable height on roof structures, for exceeding 40% compact stalls, for interior side yard/court reduction, for vehicular gate setback reduction, for maneuvering width reduction and for allowing a distance of more than 250 feet from each unit to the trash disposal area.

Policy Considerations:

General Plan and Community Plan: The proposed project is consistent with the land use designation and applicable policies of the General Plan and Central City Community Plan to focus higher density developments and mixed-use projects in areas adjacent to transit stations and along transit corridors and to provide safe, affordable housing to the area.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The project, in proposing mix of uses that include affordable apartments and flexible commercial spaces, will contribute to creating a range of housing opportunities and choices that can foster a walkable, close-knit neighborhood.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento's Strategic Plan, specifically by adhering to goals that achieve sustainability, enhance livability, promote increased housing opportunities for Sacramento residents, and expand economic development throughout the City.

Environmental Considerations:

California Environmental Quality Act (CEQA):

A Mitigated Negative Declaration (MND) has been prepared for the project. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified environmental impacts or to mitigate such impacts to a point where it is clear that they will have no significant effect on the environment. These mitigation measures address cultural resources, hazards, and transportation. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit 4A).

Pursuant to Section 15070(B) (2) of the CEQA Guidelines, there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

The Mitigated Negative Declaration was available for public review during the period of Friday, February 13, 2009 through Thursday, March 5, 2009.

One comment letter (Exhibit 4B) was received during the comment period relating to concerns about parking, and the effects of shading on neighboring properties. The concerns raised by the commenter are valid planning concerns and issues, but do not identify significant effects on the environment. Parking is discussed in the Mitigated Negative Declaration. The City has not adopted a threshold of significance for shading of neighboring properties.

Sustainability Considerations:

The proposed project is consistent with the Sustainability Master Plan goals to reduce dependence on the private automobile, reduce long commutes, reduce the use of fossil fuels, improve energy efficiency, reduce carbon dioxide emissions, and help to meet air quality standards. If approved, the La Valentina project would help to support transit use because it is located adjacent to the La Valentina Light Rail Station near the urban core of the city, and it contains a mix of uses including affordable apartments and flexible commercial spaces. The project is a low-energy building achieved by efficiency boilers, rooftop photovoltaic and solar hot-water panels.

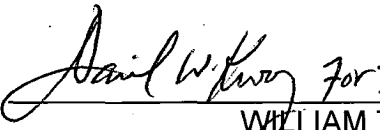
Commission/Committee Action: On February 18, 2009, the La Valentina Station Site proposal was brought before the Design Commission for Review and Comment; the Station Site will be brought back to the Design Commission for approval on March 25, 2009. The North Site will be brought before the Design Director for decision on March 26, 2009. On March 12, 2009, the Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to *approve* the La Valentina Station project with a vote of eight ayes (one absent).

Rationale for Recommendation: Staff finds that the proposed TOD (transit oriented development) project complies with applicable General Plan and Community Plan goals and policies in allowing mixed land uses adjacent to a transit station and in providing affordable housing to the Central City area. Staff also finds that the proposed infill project makes use of underutilized parcels and is compatible with the surrounding uses.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: 
DAVID KWONG
Planning Manager

Approved by:  for:
WILLIAM THOMAS
Director of Development Services

Recommendation Approved:

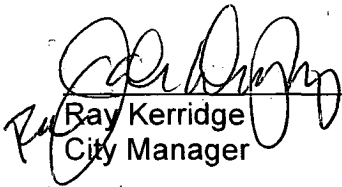
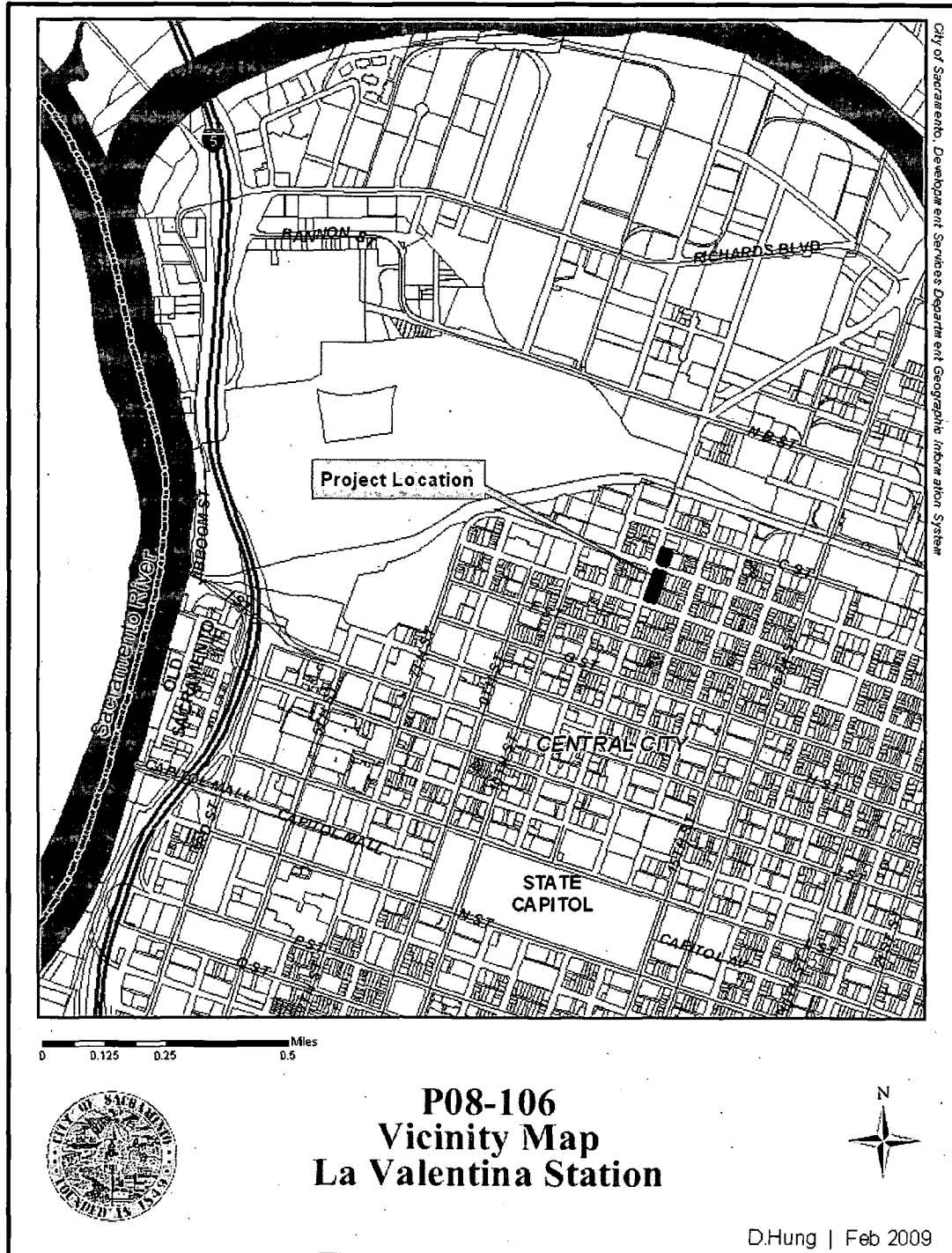

Ray Kerridge
City Manager

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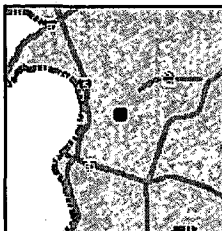
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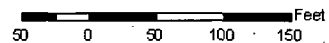
Attachment 1: Vicinity Map



Attachment 2: Land Use & Zoning Map



P08-106
Land Use Map
La Valentina Station



D. Hung | Mar 2009

Attachment 3: Background**Project Summary:**

The project involves the development of parcels in proximity to the Alkali Flat/La Valentina light rail station in the Central City area; this Regional Transit station is well-used, and ranks in the top one-third of 24 stops on the Blue Line in terms of passenger volume. The subject property is currently vacant except for the parcel at 1210 D Street which contains a residential structure that is proposed to be demolished; the demolition was approved by the Zoning Administrator on December 18, 2008 (Z08-245).

The project is separated into the Station Site and the North Site:

Station Site: The site is directly adjacent to the Alkali Flat/La Valentina light rail station on the east side of 12th Street. The site extends from D Street at the north to E Street to the south and includes six parcels, to be merged, and a portion of the D Street/E Street alley to be abandoned. The proposed mixed-use building is four-stories in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units. A concurrent Design Commission application was submitted for the Station Site (DR08-278).

North Site: The site extends from the C Street/D Street alley on the north to D Street on the south and includes two parcels, to be merged. The site contains one large three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18 three-bedroom units are proposed on the site. All the parking spaces are incorporated into the ground floor of each building. A concurrent Design Director application was submitted for the North Site (DR09-030).

Public/Neighborhood Outreach and Comments:

Staff routed the proposal to various neighborhood groups and associations which included Sacramento Housing Alliance, WalkSacramento, Sacramento Area Bicycle Advocates, Alkali & Mansion Flats Historic Neighborhood Association, Downtown Sacramento Partnership, Sacramento Old City Association, Children First Flats Network, Boulevard Park Neighborhood Association, Friends of Grant Park, Marshall School Neighborhood Association, Midtown Business Association and the Washington Park Neighborhood Improvement Group.

Additionally, Staff sent an early notice to property owners within 500 feet of the site. Comments were received concerning the density of the project, the affordable housing component, and the building design. Comments from neighbors, the Sacramento Area Council of Governments (SACOG), Monighan Design, WalkSacramento, Sacramento Area Bicycle Advocates, Downtown Sacramento Partnership and Sacramento Housing

Alliance are attached in Attachment 7.

Staff Response: Staff believes that a higher density project is appropriate for the site since it is adjacent to a light rail transit station. The affordable housing is intended for low and very low income families and there is a need to provide housing for this segment of the population. The development of both sites will contribute to the revitalization of the Alkali Flat neighborhood locating active uses on these currently underutilized, highly-visible parcels.

Extensive outreach was conducted by both Sacramento Housing and Redevelopment Agency (SHRA) and the project applicant, Domus Development, from November 2006 to the present. A list of the outreach efforts is included below:

1986-2006

In the past, SHRA worked with a number of development teams on concepts for the La Valentina Development Site, which included commercial/retail, day care, and single family homes. For multiple reasons these concepts did not come to fruition:

- **1986 through early 1994:** SHRA incrementally acquired a total of seven parcels of real estate along 12th Street in the Alkali Flat Redevelopment Project Area.
- **1991:** SHRA issued a Request for Proposals (RFP) for the site in 1991 and received no respondents. The timing of the RFP was poor as land values in the region plummeted and interest in the downtown was low.
- **1997:** The next development attempt began in 1997 when SHRA, in partnership with the 12th Street Collaborative, worked on a proposal to develop the site into a daycare and teacher training facility.
- **2004:** In 2004, due to financial feasibility reasons, the development proposal did not come to fruition.
- **2004:** SHRA issued a Request for Proposals (RFP) to purchase and develop the Site. The Olson Company of San Ramon, California (Olson) responded and was selected to complete pre-development planning.
- **2006:** In mid-2006, after completing a variety of pre-development activities, Olson chose to withdraw from this project.

November 2006- Present

In November 2006, SHRA issued a Request for Qualifications (RFQ) to attract a private development team to develop the La Valentina Site. Domus Development was unanimously selected by project selection team. The current concept reflects the combined efforts of community stakeholders, the development team and Agency and City Staff. The proposal has been refined and has evolved through a process that vetted over a dozen iterations of the project.

- **March 2007:** In March 2007, Domus Development was unanimously chosen to develop the Site by a selection team, based on their qualifications.
 - The 7 person Selection Committee included a representative from both the Alkali Flat/Mansion Flats Neighborhood Association and the Alkali Flat RAC (Redevelopment Area Committee). Domus Development was deemed the most qualified of the four development firms that responded to the RFQ.
- **April 5, 2007:** RAC Approval of ERN: The Domus team met with the Alkali Flat RAC on April 5, 2007, and the RAC endorsed staff's initiative to enter into an Exclusive Right to Negotiate (ERN) agreement.
- **April 12, 2007:** The Domus team met with the Alkali Flat / Mansion Flats Neighborhood Association at its April 12, 2007 general meeting.
- **June 5, 2007:** City Council approved the ERN between SHRA and Domus Development.
- **July 7, 2007:** The Alkali Flat RAC received a project update presentation from SHRA staff at the regularly scheduled RAC Meeting.
- **February 7, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting.
- **March 6, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting. ERN is extended.
- **April, 3, 2008:** A "La Valentina Subcommittee" of the RAC is formed at the regularly scheduled RAC meeting. The RAC received a staff project update.
- **June 18, 2008:** Alkali Flat RAC Special Meeting is held. The La Valentina Subcommittee receives a developer presentation on the project.
- **August 7, 2008:** The Alkali Flat RAC received a project update presentation from Domus Development at the regularly scheduled RAC Meeting.
- **October 2, 2008:** Special Meeting of RAC to discuss the project. The RAC receives a presentation by Domus Development.
- **February 11, 2009:** The La Valentina Subcommittee receives a developer presentation on the project.

Project Analysis:

Station Site

Description

The site is directly adjacent to the Alkali Flat/La Valentina light rail station on the east side of 12th Street. The site extends from D Street at the north to E street to the south and includes six parcels, to be merged, and a portion of the D Street/E Street alley to be abandoned. The proposed mixed-use building is four-stories in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units.

Rezone

The Station Site is proposed be rezoned from Residential Mixed Use (RMX) zone, with a maximum density of 36 dwelling units per net acre to Multi Family (R-5) zone. The R-5 zone is a multi-family residential zone bordering the Central Business District. This is not entirely a residential zone and may include institutional, office and commercial uses subject to special permit review. The minimum land area per unit depends upon the percentage of lot coverage. Maximum density in the R-5 zone ranges from seventy (70) to one hundred fifty (150) dwelling units per acre. The current and proposed zoning designations are shown in the following Table:

Designation	Existing (gross ac)	Proposed (gross ac)	Difference (gross ac)
Residential Mixed Use (RMX) parcels	0.83	0	-0.83
Multi Family (R-5) parcels	0	0.83 and 0.04 alley to be abandoned	+0.87
TOTAL	0.83	0.87	

The project, with a total of 63 units on 0.87 acres, will have a density of 72 units per acre. The R-5 zone will allow the high density proposed for the residential units and also commercial uses on the ground floor subject to the approval of a special permit. The rezone request is consistent with the General Plan and Central City Community Plan designations for the subject site. The R-5 zone is also more consistent with the proposed 2030 General Plan designation of a major portion of the site as "Urban Corridor Low," allowing a density range of between 20-110 dwelling units per net acre and floor area ratio of 0.4 – 3.0; a 0.15 acre portion of the site will be designated as "Traditional Neighborhood Medium Density" with a density range of 8-21 dwelling units per acre and floor area ratio of 0 to 1.5. Even with the aforementioned split designations, the proposed project still falls within the overall density range and the overall floor area ratio of all the sites. For these reasons, staff supports the request.

Plan Review

The applicant proposes to construct apartment units in the R-5 zone on the Station Site. Section 17.24.050(17) of the zoning code permits this type of development with the issuance of a plan review. In evaluating plan review proposals of this type, the Commission is required to make the following findings:

- A. The proposed development, including but not limited to the density of a proposed residential development, is consistent with the general plan and any applicable community or specific plan.

The proposed mixed-use development is consistent with the current General Plan designation as well as the 2030 General Plan Update designation for Urban Corridor Low and Traditional Neighborhood Medium Density and applicable goals and policies.

- B. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with city standards, and the proposed improvements are properly related to existing and proposed streets and highways.

Staff have reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure, and have included conditions to ensure adequate drainage capacity and street frontage improvements.

- C. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this title.

The design of the project generally consistent with applicable setback, lot coverage, density, height and parking regulations; where parking and setback standards are not met, variances are requested. Conditions have been added to ensure compliance with landscaping requirements.

- D. Approval of the plan review will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties.

The proposal will comply with safety standards as required by code and conditioned as part of this project and will not pose a threat to the public health nor be injurious to the surrounding area.

Access, Circulation and Parking

The site can be accessed at separate driveways on D Street and E Street; both driveways shall function as right-in right-out only. The applicant shall install two median curbs along D and E Street to restrict left-in and left-out movements. A children's play area/common space is shown at the area where the alley is to be abandoned so that through traffic is not allowed between the north and south portions of the site. Retractable bollards are shown to allow access by emergency vehicles. A six feet high emergency access gate is shown on the east side abutting the alley and a similar gate is shown on the west side adjacent to the public court next to the light rail station.

The project requires approval from the Department of Transportation for the

abandonment of the portion of the D Street/E Street alley crossing the site. The purpose for the abandonment is to allow the creation of a public court and private common area within the project site. The Planning Director shall serve as the planning agency for purposes of reviewing the alley abandonment pertaining to this project for consistency with the City's General Plan pursuant to Section 2.112.070, Government Code Sections 65402 and 65403, and other applicable statutory provisions.

Following is the parking analysis for the site:

Use	Required Parking	Proposed Parking	Difference
Apartments	64 (based on 1 space per unit + 1 guest space per 15 units)	68	+4
Flex/commercial spaces (approx. 6,000 sq. ft.)	15 (based on 1 space per 400 gross sq. ft.)	0	-15
Café	11 (based on 1 space per 100 square feet, equivalent to 1 space per 3 seats)	0	-11

Total vehicular parking required	Required bicycle parking (1:20)	Provided bicycle parking	Difference
90	5	5 minimum	0

Height, Bulk and Setbacks

Following is the height and area standards analysis; discussions on the deviations can be found later on in this section.

Standard	Required	Proposed	Deviation?
Height	45'-0"	47'-0" to top plate	yes
Front setback (D St.)	10'	5'-0"	yes
Front Setback (E St.)	20'	5'-0"	yes

Side setback (12 th Street)	5' to 6'	0 to 8'	yes
Rear setback	None	None	no
Lot coverage	70%	~ 55%	n/a
Density	70 - 150 du/na	~ 72 du/na	no

Building design, signage and landscaping

The proposed mixed-use building is four-story in height with approximately 6,000 square feet of commercial/flex spaces on the ground floor and a total of 63 apartment units combined on the upper three stories; a bridge element connects the northern end of the building with the southern end of the building on the top three floors. Covered compact parking spaces are provided on the ground floor of the building at the parking lot area. The apartment units contain a mix of studio units, one-bedroom units, two-bedroom units and three-bedroom units. Except for the studio units, all units contain outdoor balconies for usable private outdoor space. The ground floor also contains a laundry room, bike room, trash room, common room and property management office. The west façade, facing the adjacent light rail station, is finished with HardiPlank and metal screens; the rest of the building façade is stucco finish. No signage plans are provided.

The eastern side of the site contains a 7-foot landscape buffer and finger planters are shown at the parking lot; a six-foot high concrete block wall will be constructed on the eastern property line. The proposed structure is a low-energy building achieved by efficiency boilers, rooftop photovoltaic and solar hot-water panels. On February 18, 2009, the La Valentina Station Site proposal was brought before the Design Commission for Review and Comment; the Station Site will be brought back to the Design Commission for approval on March 25, 2009.

Some of the major comments from the Design Commission Review and Comment are:

1. Details of the proposed transformer screen shall be provided.
2. Further articulation to the east façade is required.
3. Additional recess fenestration in the rain screen on the west elevation to be required.
4. Recommend squaring off of the rain screen elements at the top of the roof of the southern building.
5. Ground level landscaping in the colonnade would provide visual and acoustical softening of the space.
6. Corten steel shall be replaced by rusted steel that is sealed to prevent rust spots on the building.

Special Permits

The applicant proposes to develop office and commercial retail uses on the ground floor of a mixed-use building in the proposed R-5 zone, reduce required parking and to construct a mixed-use building that exceeds allowable height. The project will require special permits to allow the above proposals. In evaluating these special permits, the Commission is required to make the following findings:

- A. A special permit shall be granted upon sound principles of land use.
- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.
- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The applicant proposes to establish vehicular gates which requires the approval of a special permit. In evaluating this type of special permit, the Commission is required to make the following findings:

- A. The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.
- B. The project is consistent with city regulations and guidelines relating to the establishment of gated developments.
- C. The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.
- D. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

Special Permit for ground floor commercial/flex use: The project includes 6,000 square feet of commercial/flex spaces on the ground floor of the building that includes a café and flex commercial units that can be used individually or combined to form bigger spaces. The proposed commercial use on the ground floor is based upon sound principles of land use since the site is adjacent to a light rail station and the proposed uses will encourage active commercial uses on the ground floor. The use will be compatible to surrounding developments and will not be detrimental to the public health, safety or welfare. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow mixed-use projects to be built adjacent to transit corridors.

Special Permit to reduce required parking: As shown on the vehicular parking table above, the project does not comply with required parking for both the residential portion and the commercial portion. However, given the fact that the project is adjacent to light rail and there is sufficient parking for the residential units, staff supports the parking reduction. The proposed parking reduction is based upon sound principles of land use since the site is adjacent to a light rail station and fewer parking will encourage alternative modes of transportation and less dependence on autos. A minimum of one parking space will be provided for each apartment unit and therefore will not be

detrimental to the safety and welfare of its residents. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow high density/mixed-use projects to be built adjacent to transit corridors.

Special Permit to exceed maximum height: The proposed structure has exceeded the maximum height allowable within the proposed R-5 zone by two feet; however, due to the high density, mixed-use development the project proposes adjacent to the light rail station and the overall quality of the design of the building, staff supports the height increase. Exceeding the allowed building height by two feet is based upon sound principles of land use since the site is adjacent to a light rail station and additional intensity on the site, when well designed, is supported by City policy. The project will not be injurious to the surrounding area in that it will be a compatible land use adjacent to existing residential and commercial developments and within close proximity to a light rail station. The use also complies with the goals and objectives of the General Plan and Central City Community Plan to allow mixed-use projects to be built adjacent to transit corridors.

Special Permit to establish vehicular gates: Vehicular gates, at six feet in height, are being proposed at the driveways at D Street and E Street; a separate pedestrian gate is shown adjacent to each vehicular gate. Emergency egress gates are also provided on the eastern property line abutting the alley and at the west side of the site abutting the public court. The applicant wants to create a private and safe parking lot area that can also allow the opportunity for outdoor activities; it will also minimize trespassers from the adjacent light rail station. Only the parking area is gated at the Station Site, with commercial space and residential units having direct access to 12th Street. The placement of the vehicular gates on the site will not impede access to a public resource or interfere with existing traffic circulation patterns. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because ground floor uses on 12th Street will still have direct access to the street. Staff agrees that the site warrants the installation of gates on parking areas because of its immediate proximity to the light rail station and the possibility of trespassers into the site. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

Variance

The applicant proposes to reduce the required setback to a mixed-use development, to allow a roof structure to exceed the maximum height, to allow compact stalls to exceed the maximum of 40%, to allow vehicular gate setback reduction, to allow maneuvering width reduction within the parking area, and to allow a distance of more than 250 feet from each residential unit to the trash disposal area. The project will require variances to deviate from the above. In evaluating variances, the Commission is required to make

the following findings:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.
- B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.
- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.
- D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.

Variance to reduce building setback: As shown on the height and area table above, the subject building does not provide the required setback on the front and interior sides, in particular at the north and south sides as well as the west side of the site abutting the Regional Transit parcels. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites; no use variance is requested; the proposed apartment use is permitted subject to the granting of a Plan Review; the setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the overall streetscape; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow roof structure to exceed maximum height: The roof structure which houses the eco-roof exceeds the allowable height limit. The Zoning Code allows roof structures to exceed the height typically allowed in any zone by 20%. Absent a variance, the green roof structure would be allowed an additional nine-feet of height, for a total of 54'-0" in height. A total of 57'-6" is proposed. The variance is not a special privilege unique to the site since a taller roof structure that acts as a tower element and integrates well with the rest of the building would have been supported on other similar developments; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the variance for the roof structure will not be injurious to public welfare since it is setback a distant from all adjacent parcels and the green 'eco' roof structure promotes environmental-friendliness; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to exceed 40% maximum for compact stalls: The project exceeds the 40% maximum allowed for compact stalls in order to provide sufficient a minimum one to one parking ratio for the apartments. Out of the 68 parking spaces in the parking lot, 32 spaces are compact stalls, or 47% of the stalls. The variance is not a special privilege unique to the site since a higher ratio of compact stalls would be supported at other infill

developments adjacent to light rail stations; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce vehicular gate setback: A minimum 20-foot setback from the property line is required for a vehicular gate. The purpose of this setback is to allow a vehicle entering the site to pull entirely onto the site while waiting for the gate to open. Due to the relatively small size of the Station Site and the competing goal of trying to provide more outdoor space for residents on-site, the project does not provide the required 20' setback in order to provide a larger parking lot/courtyard area. Staff has requested that due to the reduced setback, the gate shall be opened during peak hours to minimize any stacking issues. The variance is not a special privilege unique to the site since more internal common area would have been desired at similar infill developments; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow maneuvering width reduction: The project does not provide the required 26' vehicle maneuvering width for the interior parking drive-aisle. Due to the overall size of the site and narrowness, only 24' can be provided. The variance is not a special privilege unique to the site as a similar reduction would be supported for a gated parking lot for private uses and for a similarly shaped development site; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the width reductions will not be injurious to public welfare and to adjacent properties in that a small parking area is involved; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to allow a distance of more than 250 feet from each residential unit to the trash disposal area: The trash/service rooms on the upper floors of the building are located on the north side of the building; therefore, some of the units on the extreme south portion of the building are situated at a distance of more than the maximum 250 feet to the trash disposal point. The location of the ground floor trash/service room will allow trash collection to occur on D Street and not within the internal confines of the site. The variance is not a special privilege unique to the site since other buildings with the similar characteristics may encounter similar issues; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the proposal will not be injurious to public welfare since the deviation only affects a small number of residential units; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

North Site

Description

The site extends from the C Street/D Street alley on the north to D street on the south and includes two parcels, to be merged. The site contains one large three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18 three-bedroom units are proposed on the site. All the parking spaces are incorporated into the ground floor of each building.

Access, Circulation and Parking

The site can be accessed at the driveway on D Street and the driveway at the C Street/D Street alley on the north, the D Street driveway shall function as right-in right-out only. The applicant shall install median curb along D Street to restrict left-in and left-out movements. Following is the parking analysis for the site:

Table 5A: Vehicular Parking (North Site)			
Use	Required Parking	Proposed Parking	Difference
Apartments	19 (based on 1 space per unit + 1 guest space per 15 units)	21	+2

Table 5B: Bicycle Parking (North Site)			
Total vehicular parking required	Required bicycle parking (1:20)	Provided bicycle parking	Difference
19	1	16	+16

Height, Bulk and Setbacks

Following is the height and area standards analysis; discussions on the deviations can be found later on in the section.

Table 6: Height and Area Standards (North Site)			
Standard	Required	Proposed	Deviation?
Height	35'	30' (to top plate)	No
Front setback (D Street)	20' or avg. of front setback of two	5'-7" (avg. setback of two nearest	No

	nearest buildings	buildings)	
Side Setback (12 th Street)	5'	Zero (portion only)	Yes
Rear setback (alley)	5'	Zero (portion only)	Yes
Courtyard	10'	8' (portion only)	Yes
Lot coverage	55% maximum	55%	no
Density	50 du/na maximum (@ 55% lot cov)	45 du/na	no

Building design, signage and landscaping

The proposal consists of one three-story building at the west side of the site and three smaller three-story buildings on the east side of the site. A total of 18, three-bedroom units are proposed on the site; six units are flats and twelve units are split-level townhouses. Some units have usable balconies or porches. All the parking spaces are incorporated into the ground floor of each building. No signage plans are provided. The open area in the center of the site serves as a driveway and a courtyard with planters for shade trees. The North Site will be brought before the Design Director for decision on March 26, 2009.

Special Permit

The applicant proposes to establish vehicular gates and requires the approval of a special permit. In evaluating this type of special permit, the Commission is required to make the following findings:

- A. The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.
- B. The project is consistent with city regulations and guidelines relating to the establishment of gated developments.
- C. The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.
- D. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

Special Permit to establish vehicular gates: Vehicular gates, at six feet in height, are being proposed at the driveways at D Street and the D Street/E Street alley; a separate pedestrian gate must be installed adjacent to each vehicular gate. Pedestrian gates are shown the west side of the site to provide access into the site. The applicant wants to

create a private and safe parking lot area that can also allow the opportunity for outdoor activities; it will also minimize trespassers from the adjacent light rail station. The placement of the vehicular gates on the site will not significantly impede access to a public resource or interfere with existing traffic circulation patterns. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because pedestrian gates are provided to allow easy access to the surrounding streets. Staff agrees that the site warrants the installation of gates on parking areas because of its immediate proximity to the light rail station and the possibility of trespassers into the site. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

Variance

The applicant proposes to reduce setbacks to a mixed-use development and to allow vehicular gate setback reduction. The project will require variances to deviate from the above. In evaluating variances, the Commission is required to make the following findings:

- A. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.
- B. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.
- C. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.
- D. A variance must be in harmony with the general purpose and intent of the zoning code. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.

Variance to reduce building setback: As referenced on the height and area table above, the subject building does not provide the required setbacks on a portion the interior side at the west side adjacent to 12th Street and a portion of the rear of the site adjacent to the alley for the trash enclosure. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites; no use variance is requested; the proposed use is permitted subject to the granting of a Plan Review; the setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the

overall streetscape; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce interior side yard: When a residential entry faces an interior side yard or court, as is the situation on 12th Street, a minimum 10' is required between the entry and the side property line. The purpose of the 10' is to allow light and air for the residential entry. As referenced on the height and area table above, the west building does not provide the required 10-foot side yard adjacent to an entryway at one of the units. As the narrow strip of property between the subject site and 12th Street is owned by Regional Transit provides a buffer between the light rail line and developable parcels, and will not be developed itself, staff supports the variance for the side yard. The variance is not a special privilege unique to the site since more interaction with the street would be supported at other infill developments adjacent to a commercial corridor and the variance does not come into conflict with the intent of the side yard development standard; no use variance is requested; the proposed use is permitted on the site subject to meeting development standards; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Variance to reduce vehicular gate setback: A minimum 20-foot setback from the property line is required for a vehicular gate. The purpose of this setback is to allow a vehicle entering the site to pull entirely onto the site while waiting for the gate to open. Due to the relatively small size of the North Site and the competing goal of trying to provide more outdoor space for residents on-site, the project does not provide the required 20' setback in order to provide a larger parking lot/courtyard area. Staff has requested that due to the reduced setback, the gate shall be opened during peak hours to minimize any stacking issues. The variance is not a special privilege unique to the site since more internal common area would have been desired at similar infill developments; no use variance is requested; the proposed use is permitted subject to the granting of entitlements; the proposal will not be injurious to public welfare and to adjacent properties; and the proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Conclusion

Staff finds that the proposed project complies with applicable General Plan and Community Plan goals and policies in allowing mixed land uses adjacent to a transit station and in providing affordable housing to the Central City area. Staff also finds that the proposed infill project makes use of underutilized parcels and is compatible with the surrounding uses.

Attachment 4: Mitigated Negative Declaration – Findings – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PROGRAM FOR THE LA VALENTINA STATION PROJECT (P08-106)

BACKGROUND

A. On March 12, 2009, the City Planning Commission conducted a public hearing and forwarded to the City Council a recommendation to approve, with conditions, the La Valentina Station (P08-160) project.

B. On March 24, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 17.200.010(C)(2)(a), (b) and (c) (publication, posting and mail 500'), and received and considered evidence concerning the La Valentina Station (P08-106) project.

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

Section 1. The City Council finds as follows:

A. The Project initial study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned would have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On February 13, 2009, a Notice of Intent to Adopt the MND (NOI) dated February 13, 2009 was circulated for public comments for 20 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners, residents and businesses within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On February 13, 2009 the project site was posted with the NOI, and the NOI was posted in the office of the Sacramento County Clerk.

Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

Section 4. The City Council adopts the MND for the Project.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.

Section 6. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit 4A: Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR

La Valentina Station (P08-106)

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ NEGATIVE DECLARATION**

PREPARED FOR:

CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

DATE:

February 13, 2009

**ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION**

DATE:

ATTEST:

**La Valentina Station (P08-106)
MITIGATION MONITORING PLAN**

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

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: La Valentina Station / P08-106
Owner/Developer- Name Meea Kang – Domus Development, Inc.
Address: 594 Howard Street, Suite 204
San Francisco, CA 94105

Project Location / Legal Description of Property (if recorded):
The proposed project site is located on 12th Street between C and E Streets in the Central City.

Assessor's Parcel Number (APN) 002-0082-016, 002-0082-024, 002-0121-002, 002-0121-027, 002-0121-032, 002-0121-034, 002-0121-036, and 002-0121-038.

Project Description:

A mixed-use development comprised of 18 townhouse units, 63 affordable apartment units, 7 live-work units and approximately 2,500 square feet of ground-floor commercial/flex spaces on 1.27 acres in the general commercial (C-3) zone and the proposed Multi-Family (R-5) zone. Specific entitlements include:

- A. Rezone** RMX to R-5 to increase the allowable density from 36 to 94 du/na;
- B. Special Permit** to allow gated development;
- C. Special Permit – Height** to allow structures to exceed the maximum allowable height;
- D. Special Permit – Parking** to reduce required parking;
- E. Variance** to reduce the interior side setback;
- F. Variance** to allow a roof structure to exceed the maximum allowable height;
- G. Variance** to allow compact stalls to exceed a maximum of forty percent; and a
- H. Tentative Map**

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Cultural Resources, Hazards, and Traffic. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as

prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

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

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<p>Cultural Resources</p>	<p>Cultural Resources</p> <p>CR-1 In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p> <p>CR-2 If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American</p>	<p>Development Service Department, City of Sacramento</p> <p>Native American Heritage Commission</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
	<p>community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p>CR-3 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for reinternment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>		

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
Hazards	<p>Hazards</p> <p>Hazards 1: The November 2005 Phase II Environmental Site Assessment shall be submitted to the County of Sacramento, Department of Environmental Health (DEH) for review. The applicant shall comply with all requirements for cleanup identify by DEH.</p> <p>Hazards 2: Prior to approval of any building permit, the applicant shall submit documentation that confirms that DEH has approved the applicant's plan for cleanup and that all cleanup efforts have been completed.</p>	<p>Development Service Department, City of Sacramento</p> <p>Department of Environmental Health, County of Sacramento</p>	<p>The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>
Traffic	<p>Traffic</p> <p>Traffic 1: The project applicant shall construct roadway medians at D Street and E Street to the</p>	Department of Transportation	The Department of

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
	<p>satisfaction of the City's Department of Transportation.</p> <p>Traffic 2: The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor.</p>	<p>Development Services Department</p>	<p>Transportation and the Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance prior to issuance of any grading or building permit.</p>

Exhibit 4B- Comment Letter

March 4, 2009

Rochelle Hall
Assistant Planner
City of Sacramento, Development Services Department
Environmental Planning Services
300 Richards Blvd.
Sacramento, CA 95811

Dear Ms. Hall,

This letter is in response to the Notice of Availability/Intent to Approve – Draft Mitigated Negative Declaration for the La Valentina Station (P08-106) project.

I and another person own the property at 405 11th Street and we also live there full-time with his eight year-old son. I have concerns about this project, in particular the specific entitlements for Special Permits for parking and for height.

On our block of 11th Street, none of the 5 homes or apartment houses have garages, driveways, nor alleys. Everyone on my street depends on close, accessible street parking for our cars. Our neighborhood has a lot of foot traffic from people living in crisis – the homeless population traversing between Loaves and Fishes and downtown. It is simply not safe for us to have to park far away from our homes, especially those of us with children.

The yet-to-be-completed Creamery Project, which is between C and E streets and 11th and 10th Streets, has also applied for (and I believe was granted) Special Permits to reduce required parking, and if the Valentina project also has less parking, we will be hard pressed to find parking close to our homes. Please understand that this is an urgent matter to those of us on this block!

As for the matter of height, anything over 3 stories will block the sun from the back side of all of our houses, resulting in very dark back yards. This means our vegetable garden will not survive.

I urge you not to allow these special permits.

Sincerely,

Andrea Hagan
405 11th Street
Sacramento, CA 95814
916.930.1940

Attachment 5: Project Approval Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE LA
VALENTINA STATION PROJECT (P08-106)**

BACKGROUND

- A. On March 12, 2009, the City Planning Commission conducted a public hearing and forwarded to the City Council a recommendation to approve, with conditions, the La Valentina Station project.
- B. On March 24, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail 500'), and received and considered evidence concerning the La Valentina Station 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 hearing on the La Valentina Station project, the City Council approves the project based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A&B. The Mitigated Negative Declaration and Mitigation Monitoring Program for the Project have been adopted by Resolution No. _____.

D. Plan Review: The Plan Review to construct a 63-unit apartment complex on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

- 1. The proposed mixed-use development is consistent with the current General Plan designation as well as the 2030 General Plan Update designation for Urban Corridor Low and Traditional Neighborhood Medium Density and applicable goals and policies.

2. Staff has reviewed the proposal and found it to comply with all applicable city policies related to facilities and infrastructure. Conditions of approval have been included to ensure that adequate drainage capacity and street frontage improvements are provided;

3. The design of the project generally consistent with applicable setback, lot coverage, density, height and parking regulations; where parking and setback standards are not met, variances are requested. Conditions have been added to ensure compliance with landscaping requirements; and

4. The proposal will comply with safety standards as required by code and conditioned as part of this project and will not pose a threat to the public health nor be injurious to the surrounding area.

E. Special Permit: The Special Permit to allow office and commercial retail uses on the ground floor of a mixed-use building on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The project is based on sound principles of land use by providing the component of office and commercial retail use at the ground floor adjacent to a transit station; additionally, 12th Street is identified in the City's Zoning Code as a "storefront street," encouraging active commercial uses on the ground floor;

2. The project will not be injurious to the surrounding area in that it will be a compatible land use with existing commercial and residential developments and within close proximity to light rail line; and

3. The proposed mixed-use development is consistent with General Plan and Community Plan goals to provide vibrant neighborhoods;

F. Special Permit: The Special Permit to reduce required parking for a mixed-use building on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. Staff finds that the parking reduction is appropriate for the project since the site is adjacent to a light rail station which encourages the use of alternative modes of transportation and less dependence on autos;

2. Staff finds that the proposed parking will be adequate for residents of the housing development at a minimum of one space per unit and that the reduction will not be detrimental to the safety and welfare of its residents; and

3. The proposed project, in providing high density/mixed-use development adjacent to light rail line, is consistent with the residential land use policies and density requirements of the General Plan and Central City Community Plan..

G. Special Permit: The Special Permit to establish gates at private vehicular entrance to a mixed-use development in the proposed Multi-Family (R-5) zone and a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The placement of the vehicular gates on the site will not significantly impede access to a public resource or interfere with existing traffic circulation patterns.
2. The City's Multi-Family Residential Design Principles and Gated Development Guidelines discourage the establishment of developments that are isolated or barricaded from the surrounding community. Staff does not find in this case that the gating of the parking areas will isolate the development from the surrounding community because either the tenants have direct access to the street or pedestrian gates are provided to allow easy access to the surrounding streets.
3. The proposal complies with the goals and objectives of the General Plan and Central City Community Plan to provide livable and safe housing developments.
4. The proposal for vehicular gates will provide security and privacy to the residents by minimizing trespassers onto the site.

H. Special Permit: The Special Permit to allow a mixed-use building to exceed maximum allowable height in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. Exceeding the allowed building height by two feet is based upon sound principles of land use since the site is adjacent to a light rail station and additional intensity on the site, when well designed, is supported by City policy;
2. The project will not be injurious to the surrounding area in that it will be a compatible land use adjacent to existing residential and commercial developments and within close proximity to a light rail station; and
3. The proposed mixed-use development is consistent with General Plan and Community Plan goals to allow mixed-use projects to be built adjacent to transit corridors.

I. Variance: The Variance to reduce setbacks for a mixed-use development in the proposed Multi-Family (R-5) zone and to a portion of a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more interaction with the street with reduced setback would have been supported on other similar sites;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;

3. The setback reductions will not be injurious to public welfare and to adjacent properties in that the setback reduction is considered minor, is limited to a portion of the building and contributes positively to the overall streetscape; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

J. Variance: The Variance to allow a roof structure to exceed the maximum height allowed within the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since a taller roof structure that acts as a tower element and integrates well with the rest of the building would have been supported on other similar developments;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;

3. The variance for the roof structure will not be injurious to public welfare since it is setback a distant from all adjacent parcels and the green 'eco' roof structure promotes environmental-friendliness; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

K. Variance: The Variance to allow the number of compact stalls to exceed the maximum of 40% within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since a higher ratio of compact stalls would be supported at other infill developments adjacent to light rail stations;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;

3. The proposal will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

L. Variance: The Variance to reduce interior side yard at a portion of a multi-family residential development in the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more interaction with the street would be supported at other infill developments adjacent to a commercial corridor and the variance does not come into conflict with the intent of the side yard development standard;

2. No use variance is requested; the proposed use is permitted on the site subject to meeting development standards;

3. The setback reductions will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

M. Variance: The Variance to allow vehicular gate setback reduction within the proposed Multi-Family (R-5) zone and the General Commercial (C-2) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since more internal common area would have been desired at similar infill developments;

2. No use variance is requested; the proposed use is permitted subject to the granting of entitlements;

3. The proposal will not be injurious to public welfare and to adjacent properties; and

4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

N. Variance: The Variance to allow maneuvering width reduction within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since the reduction would be supported at other gated parking lots for private use in similar shaped parcels;

2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The width reductions will not be injurious to public welfare and to adjacent properties in that a small parking area is involved; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

O. Variance: The Variance to allowing more than 250 feet from each unit to trash enclosure within a mixed-use development in the proposed Multi-Family (R-5) zone is **approved** based on the following findings of fact:

1. The variance is not a special privilege unique to the site since other buildings with the similar characteristics may encounter similar issues;
2. No use variance is requested; the proposed use is permitted subject to the granting of a Plan Review;
3. The proposal will not be injurious to public welfare since the deviation only affects a small number of residential units; and
4. The proposed development is generally consistent with the zoning regulations and does not violate any applicable general plan or community plan policies.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

Conditions of Approval

D. The **Plan Review** to construct a 63-unit apartment complex on approximately 0.87 net acres in the proposed Multi-Family (R-5) zone is hereby approved subject to the following conditions:

Planning

D1. This approval is for the construction of 63 apartment units shown on attached exhibits. Development of this site shall be in compliance with the attached exhibits except as conditioned.

D2. Design Review approval shall be issued for the Station Site prior to the issuance of building permits.

D3. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review by Current Planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.

D4. The applicant shall comply with all requirements included in the Mitigation Monitoring Plan for P08-106, on file at the Planning Division.

D5. Building and landscape setbacks are approved per attached site plan for Station Site unless otherwise conditioned on the project.

D6. Landscaping & Walls and Fencing:

- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
- b. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
- c. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- d. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- e. Fencing adjacent to public streets shall be decorative wrought iron or tubular steel painted to complement the buildings.

D7. The applicant shall comply with the City's Recycling Ordinance (Section 17.72) unless otherwise approved on this project.

D8. Signage: All signage must be reviewed and approved by Planning Director prior to issuance of building permits; all signage shall comply with the Sign Ordinance, City Code Section 15.148, and a sign permit shall be obtained prior to construction of any sign.

D9. Lighting:

- a. The type and location of the outdoor lighting (building, parking lot, walkway, etc.) must be approved by the Planning Director prior to issuance of a building permit. Each building address number shall be illuminated.

- b. Project lighting shall be provided as follows: one footcandle of minimum maintained illumination per square foot of parking space and exterior walkways/sidewalks during hours of darkness and 0.25 footcandle of minimum maintained illumination per square foot of surface on any interior walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
- c. Per Section 17.68.030(B), exterior lighting, if provided, shall reflect away from residential areas and public streets. Fixtures shall be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

D10. A total of 68 parking spaces shall be provided per plans; visitor parking spaces shall be clearly marked.

D11. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A minimum of five bicycle facilities shall be required for this project and shall be located in close proximity to building entrances.

D12. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.

D13. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

D14. On site management shall be provided. If security becomes a concern and if deemed necessary by the Police Department, the applicant shall contract with a reputable security firm to provide on site security, night and day, when the management office is closed.

D15. The final color palette for all buildings shall be submitted for review and approval by the Planning Director prior to the issuance of building permit.

D16. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).

D17. The project shall reasonably maintain the buildings and landscaping.

D18. Auto repairs are not permitted on-site at any time, except in emergencies, such as flat tire or dead battery.

D19. Visitor parking shall be strictly enforced.

Department of Transportation

D20. Construct standard public improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed to City standards and assured as set forth in Chapter 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along 12th, D and E Streets per City standards to the satisfaction of the Department of Transportation;

D21. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The existing driveways along D and E street shall be reconstructed to be ADA compliant (if existing and not compliant) to the satisfaction of the Department of Transportation;

D22. The applicant shall install on-street angled parking along D street between 12th street and 11th Street to the satisfaction of the Traffic Engineering Division: If the City has already installed angled parking at this location before the applicant has submitted the improvement plans then the applicant shall reimburse the City the costs of installation of the said angled parking at \$6,000 per block. The determination regarding timing and need for implementation of the subject angled parking by the City will be made by Traffic Engineering Division of the DOT depending on the extent of potential delay in development of the proposed project and the parking need within the area;

D23. The two driveways along D and E streets shall function as right-in right-out only. The applicant shall install two median curbs along D and E Street to restrict left-in and left-out movements subject to the review and approval of the City's Traffic Engineer. The median curbs shall be constructed from 12th street intersection to a point after the driveways (Along D and E Street) to the satisfaction of the Department of Transportation. The median curbs construction at the 12th street intersection with D and E shall insure adequate turning radius and clearance from 12th street to D and E streets. This shall include any needed signage or markings to the satisfaction of the Department of Transportation;

D24. All gates shall be constructed a minimum of 20-feet from the driveway's flow line to the satisfaction of the Department of Transportation. All gates must remain open during PM traffic peak hours (4-6 PM) on weekdays only. The proposed gated entry along the C and D Alley does not require the 20-foot setback requirement;

D25. The applicant shall repair/reconstruct the existing alley (C & D Alley) per City standards (in Concrete) and to the satisfaction of the Department of Transportation. The limit of construction shall be from 12th street to the project's boundary along the alley;

D26. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor;

D27. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

D28. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards along the site's frontage only;

D29. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010.(25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Transportation;

D30. The applicant shall coordinate with Regional Transit and make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit. The applicant shall also coordinate with Regional Transit regarding the proposed trash pickup location along D Street and the possible conflict with the existing bus stop within the project's frontage along D Street.

D31. The applicant shall apply for and record a lot merger to accommodate the proposed development on this site prior to obtaining any Building Permits.

D32. The proposed project as presented would require the abandonment of a portion of the existing alley (between D and E Street). The applicant shall apply for and obtain City Council approval to abandon a portion of the existing alley between D and E Street prior to obtaining building permits. This would require the applicant to comply with our abandonment procedures and file the appropriate documentation for that request.

Fire

D33. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

D34. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

D35. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

D36. Provide appropriate Knox access for site.

D37. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.

D38. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.

D39. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8

Utilities

D40. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered. All existing water service connections off of the 6-inch water main in D Street/E Street alley within the frontage of this project shall be abandoned to the satisfaction of the Department of Utilities (DOU).

D41. Per City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks.

D42. The applicant/owner is required to extend a 12" water main in D Street and E Street from the existing water main in 12th Street to the east property line of the subject lot. The design, construction and alternate alignment of the water main shall be to the satisfaction of the Department of Utilities.

D43. The applicant shall install a gate valve on the existing 6-inch water main in D Street/E Street alley east of the second light rail track, at the location acceptable to the Department of Utilities.

D44. A minimum of one fire hydrant will be required on D Street and on E Street. The location of these hydrants shall be to the satisfaction of the Department of Utilities and the Fire Department.

D45. The existing fire hydrant in D Street/E Street alley shall be abandon to the satisfaction of the Department of Utilities.

D46. All water services to this project shall connect to the new water main in D Street and E Street only.

D47. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

D48. The parcel shall have a separate street tap for a metered irrigation service.

D49. All onsite water, sewer and storm drainage shall be private systems maintained by the owner.

D50. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.

D51. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure (including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the water and combined sewer system.

D52. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS due to the Equivalent Single-Family Dwelling (ESD) unit is estimated to be 62 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$101,000 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.

D53. The applicant shall remove the section of the existing combined sanitary sewer main fronting the property in D Street/E Street alley and install a new pipe section and appurtenances. No new sewer services connection is allowed in this section. The new section shall be either a ductile iron pipe or a PVC placed in steel casings and shall be approved by the DOU.

D54. All sewer services shall connect to the existing combined sanitary sewer main in D Street and E Street only.

D55. If required by the DOU, the applicant shall provide a key to access the gate for maintenance and repair of the existing underground utilities.

D56. Onsite sewer and drainage mains shall be separate systems.

D57. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in D Street and E Street Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.

D58. Finished lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of walk of sidewalk elevation and 1.5 feet above the controlling overland release elevation or as approved by the Department of Utilities.

D59. The applicant may not develop the project in anyway that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record and Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

D60. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.

D61. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

D62. This project will disturb greater than 1 acre of property, 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 at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) certification by property owner or authorized representative.

D63. Provide a minimum clearance for the walkway (located on top of the D Street/ E Street alley) to the satisfaction of the Department of Utilities.

Building

D64. Proposed project is to be constructed on vacant land that incorporates several parcels. To comply with multiple code requirements parcel merge shall be approved prior to building permit issuance.

D65. Proposed building consists of several different occupancies: residential apartments R-2, assembly (Cafe)-A-2, private parking carports- U and office-B. Mixed use and occupancy separation issues shall be addressed to satisfy requirements of Section 508.

D66. Building Code analysis shall be provided to demonstrate that building height and building area with maximum area and height increases are in compliance with sections 503, 504 and 506 based on type of construction of proposed building. Special Provisions, Section 509 may be applicable for proposed building.

D67. All portions of proposed building and facilities shall be accessible to persons with disabilities as required by Chapters 11A and 11B of 2007 CBC. Since new building is provided with an elevator, all residential units have to be adaptable and on accessible route.

D68. Guards are required for green "Eco" roof in compliance with section 1013.

Police

D69. All alarms shall comply with Sacramento City Code.

D70. The developer/applicant shall enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours. A security person shall be provided to patrol the project after normal working hours during all phases of construction, and adequate security lighting shall be provided to illuminate vulnerable equipment and materials. An acceptable alternative to a security person would be a portable lighting/video system.

D71. Entrance doors into individual retail units shall be secured with a single cylinder deadbolt lock with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw.

D72. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.

D73. A 180 degree viewing device (or peephole) shall be installed in office, administration, delivery area entry doors, and in each residential unit entrance door.

D74. Exterior doors into hallways and doors leading into stairwells shall have self locking (dead latch) devices allowing egress to the exterior of the building or stairwell but requiring a key to be used to gain access to the interior of the building from the outside or into the hallway from the stairwell.

D75. Exterior doors into the building and doors leading into stairwells shall be equipped with self-closing devices.

D76. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame (sliding).

D77. The sliding portion of a sliding glass window shall be on the inside track.

D78. Hostile vegetation, such as shrubs with thorns or leaf shapes that make them very undesirable for people to walk through is highly recommended. Shrubs around dumpster enclosures should be hostile in structure to help prevent undesirable access to the dumpster. Additionally, dumpster enclosures shall be lockable.

D79. Parking spaces that are assigned to residents shall not be numbered to coincide with dwelling unit numbers.

D80. Handicapped spaces shall be clearly marked and properly posted with a painted designation on the ground and a sign on the wall or post for each stall.

D81. Signage that clearly states vehicles may be towed under authority of section 22658(a) of the California Vehicle Code is highly recommended. Without such signage, abandoned or unauthorized vehicles cannot lawfully be towed.

Parks

D82. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

Urban Forest Services

D83. Applicant must obtain a UFS permit prior to any pruning or removal of trees growing in the City right of way.

D84. All City trees adjacent to the project site are to be enclosed by a 6' high chain link fence, (minimum enclosure area of 7'x 10') prior to commencement of any construction activity.

D85. Irrigation: All trees are to be irrigated on a non turf station by a minimum of two 6" or 12" pop up heads w/ nozzles that allow maximum possible installation distance from center trunk line:

- Use 3'x 12' nozzles along 12th Street (see red line).
- Use 3'x 18' nozzles along D Street
- Use ¼ throw 4' radius nozzles in smaller on site planters

- Use ¼ throw 8' radius nozzles in largest on site planter.

D86. All trees are to be planted in a gradual mound 2" to 3" above the surrounding grade and mulched with wood chips (playground fiber or coarser) to a depth of approximately 3". No groundcover or shrubs will be planted within 3' of any tree trunk.

Regional Transit

D87. Transit information shall be displayed in a prominent location in the residential sales/rental office, through a homeowner's association, or with real estate transactions. Transit information shall also be displayed in prominent locations within the business for both patrons and employees.

D88. Pedestrian amenities such as pavers, tree shading, lighting and trellises will be provided to encourage walking to transit.

D89. Project construction can not disrupt the operation of light rail service.

D90. Project construction shall not disrupt transit service or pedestrian access to transit stops and stations.

D91. Provide bicycle parking facilities per the City of Sacramento's requirements at building/store entrances.

D92. Dumpsters and/or trash/recycling containers shall be located within the development or off the sidewalks during pick up days so as not to impede pedestrian traffic flow or activity.

D93. Building columns/supports shall not impede ADA accessibility to the station. Please contact David Solomon, Senior Architect, at (916) 557-4682 for setback requirements from the tracks for this particular site.

Advisory Notes:

Utilities

1. The applicant shall comply with the abandonment process.
2. The applicant is responsible for the protection and repair of the existing City combined sanitary sewer and water mains in D Street/E Street Alley during construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.
3. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can

provide to the site. This information can then be used to assist the engineers in the design of the on-site domestic, irrigation and fire suppression systems.

4. Multiple fire services are allowed per parcel and may be required.
5. The proposed project is located in the 100-year floodplain, designated as a Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

Urban Forest Services

6. Proposed species selection is not identified in the vegetated swale. The swale planter shown will not provide adequate root development conditions or anchoring soil for shade trees.

Species Selection:

Tree 1	Acer nigrum Ginkgo biloba Tilia x flavescens	Greencolumn Maple Halka Ginkgo, Autumn Gold Ginkgo Glenleven Linden
Tree 2	Ginkgo biloba Podocarpus gracilior Xylosma congestum	Princeton Sentry Ginkgo Fern Pine Xylosma (standard)
Tree 3	Ginkgo biloba	Magyar Ginkgo, Golden Colonnade Ginkgo
Tree 4	Quercus cerris Quercus macdanielii Quercus phellos Quercus shumardii Ulmus japonica Ulmus japonica Ulmus wilsoniana	Turkey Oak Heritage Oak Willow Oak Shumard Oak Accolade elm New Horizon Elm Prospector Elm

Parks

7. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$109,016. This is based on 81 multi-family units at the Specified Infill rate of \$1,336 per unit; and, 5,000 sq. ft. at the commercial rate of \$0.16 per sq. ft. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

Police

8. Crime preventing environmental design strategies will be crucial in the landscaping and lighting of this multi-use development. Lighting should minimally meet IESNA standards and in some cases exceed them. The lighting plan for each area must be made with mature landscaping in mind. It is imperative that the landscaping plan is coordinated with the lighting plan to ensure proper illumination is maintained through the maturity of the trees and shrubs. If the landscaping overwhelms the lighting, reduced visibility will create an environment for crime to occur. In order to preserve visibility, we recommend shrubs that mature around 2.5' tall, and bushes or trees with canopy no lower than 8'tall, in most instances.

9. Open masonry walls and shrub lines are inconsistent with crime prevention by environmental design strategies. We recommend against using them. However, if they are essential and cannot be avoided, masonry walls should incorporate murals and other types of graffiti reducing public art. Tall shrubs should be a hostile variety to reduce habitation by transients. Incorporating these principles in the design process is highly recommended.

10. Benches, trash cans, and bicycle racks should be placed in highly visible locations. Benches should be designed to discourage sleeping by utilizing partitions or circular designs that wrap around trees or poles. In areas such as bus and train stops where loitering is not desirable, benches should also be designed to deliver minimal comfort while still providing a temporary resting place for legitimate customers. Wrought iron benches are desirable because they provide a vandal resistant design that is difficult to damage and is easily secured to the ground.

11. Trash cans should be visibly open to discourage unlawful use. As with benches, trash receptacles should be designed to be vandal resistant. Wrought iron designs are fireproof, can be easily secured to the ground and cannot be easily broken and utilized as a weapon or projectile.

12. The majority of graffiti vandals perceive themselves as artists. Consequently, they will not disrespect another artist's work. As a result, public art is highly recommended. Locations such as large blank walls and utility service cabinets are good locations for mural type projects. Statues and other freestanding projects can also serve as excellent landmarks for way-finding.

13. Parking structures and parking lots pose a higher risk than other commercial structures for violent crime. Public perception and fear of crime in these areas is high. Consequently, parking structures and lots should incorporate crime preventing design strategies. Additional crime preventing efforts in these areas will improve public perception, which will encourage patronage of the site.

14. Structures: Parking structures should be engineered with as many open interior and exterior walls as practical. Staircases should be very open by design, or they should have glass/polycarbonate walls. Elevators should be designed with mirrors, video surveillance, and glass/polycarbonate back walls whenever possible. We

recommend that consideration be given to creating retail operations that are actually part of the parking lot, thereby bringing legitimate activity to the area.

15. Lots: Wherever practical, orient buildings and/or activities toward areas that are potentially at risk. Incorporate traffic calming with raised curb planters, raised curb sidewalks and raised curb tire blocks. For larger lots, incorporate gated areas to control access to selected areas during non-peak times.

16. Depending on their location, pay telephones have a history of contributing to crime issues. Although cellular telephones have greatly reduced the need for pay telephones, there may still be a need at certain locations.

17. If it is determined that payphones are needed within a building, they should be located near the main building entrance and within constant view of employees and the general public. They should not be located out of main activity areas or near bathroom entrances.

18. For exterior locations, pay telephones should not be placed in areas that give a criminal a legitimate purpose for being present (e.g. near public bathrooms, near child care facilities etc.).

19. In recent years there has been a significant increase in the theft of construction related materials that can be re-sold or recycled. We routinely see reports of thieves stealing all the wire, all the installed toilets, even entire HVAC systems from buildings on a regular basis. Used photovoltaic panels retain a large portion of their value in today's market and can easily be sold. With this in mind, the police department strongly recommends that special consideration be given to securing the photovoltaic panels with something more than a standard nut on a threaded bolt.

20. Entrances to the bathrooms should be in constant view of employees when possible. If unable to be within constant view, they should be in high activity areas.

21. Special Use Permits: Retail establishments that require special use permits will be required to install:

1. Video surveillance systems.
2. A safe.
3. A duress alarm.

22. Video surveillance is becoming a standard security feature in the City of Sacramento. Arrested criminals frequently tell detectives they analyzed various sites before committing their crimes and chose the site without video surveillance cameras. Ideal locations for cameras are on light poles, power poles and building corners. Cameras should be capable of capturing doorways, playgrounds, plazas, and parking lots. Digital recording devices capable of storing 30 days of information are ideal. If the

system is based in the building's control room, it can be a valuable tool for building staff and firefighters in the event of an emergency.

23. Way-finding elements help prevent crime. Lack of way-finding can lead to fear, confusion and possibly exposure to crime. It is important to incorporate clear way-finding measures within large structures, in public plazas and areas. This can be achieved via architectural landmarks, landscaping, lighting, pavement transitions and signage.

G. The **Special Permit** to establish gates at private vehicular entrance to a mixed-use development in the proposed Multi-Family (R-5) zone and a multi-family residential development in the General Commercial (C-2) zone is hereby approved subject to the following conditions:

General

G1. All gates must remain open during PM traffic peak hours (4-6 PM) on weekdays only.

G2. Gated developments shall comply with section 17.76.050 of the Zoning Ordinance unless otherwise approved per file P06-108; a pedestrian access gate shall be provided at each gated driveway entrance.

G3. Vehicular gates shall be decorative wrought iron or tubular steel painted to complement the buildings.

G4. The design and construction of such gates shall be to the satisfaction of the Planning Director and Development Engineering Division. A final design shall be submitted to Current Planning and Development Engineering for approval prior to the issuance of building permits.

Fire

G5. All gates shall be provided with an approved Knox.

G6. No play structures shall be constructed in the children's area adjacent to the D Street/E Street alley.

L. The **Variance** to reduce interior side yard at a portion of a multi-family residential development in the General Commercial (C-2) zone is hereby approved subject to the following conditions:

Planning

L1. This approval is for the construction of 18 apartment units shown on attached exhibits. Development of this site shall be in compliance with the attached exhibits except as conditioned:

L2. Design Review approval shall be issued for the North Site prior to the issuance of building permits.

L3. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review by Current Planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.

L4. The applicant shall comply with all applicable requirements included in the Mitigation Monitoring Plan for P08-106, on file at the Planning Division.

L5. Building and landscape setbacks are approved per attached site plan for North Site unless otherwise conditioned on the project.

L6. Landscaping & Walls and Fencing:

- a. The project shall comply with the City's Tree Shading Ordinance which requires 50 percent shading of the parking area within 15 years.
- b. All landscaping and planting shall conform to City standards for sight line requirements at intersections and driveways.
- c. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- d. Landscaping plans shall be submitted to the Building Division – Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section of the Parks & Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met.
- e. Fencing adjacent to public streets shall be decorative wrought iron or tubular steel painted to complement the buildings.

L7. Trash Enclosures:

- a. The applicant shall comply with the City's Recycling Ordinance (Section 17.72).

- b. Trash enclosures shall be constructed of solid masonry material with exterior surface finish compatible to the main structures in color and texture. Walls shall be a minimum of six feet in height.
 - c. The trash enclosure structure shall have heavy gauge metal gates and designed with cane bolts on the doors to secure the gates when in the open and closed positions.
 - d. All trash enclosure facilities shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines such that enclosures will not be noticeable when viewed from surrounding streets
 - e. A concrete apron shall be constructed in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size, and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at the point of dumpster pickup.
 - f. Each recycling and trash enclosure or receptacle shall be designed to allow the convenient disposal of recyclable materials and trash by residents without having to open the main enclosure gates.
- L8. Signage: All signage must be reviewed and approved by Planning Director prior to issuance of building permits; all signage shall comply with the Sign Ordinance, City Code Section 15.148, and a sign permit shall be obtained prior to construction of any sign.
- L9. Lighting:
- a. The type and location of the outdoor lighting (building, parking lot, walkway, etc.) must be approved by the Planning Director prior to issuance of a building permit. Each building address number shall be illuminated.
 - b. Project lighting shall be provided as follows: one footcandle of minimum maintained illumination per square foot of parking space and exterior walkways/sidewalks during hours of darkness and 0.25 footcandle of minimum maintained illumination per square foot of surface on any interior walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures are to be vandal-resistant.
 - c. Per Section 17.68.030(B), exterior lighting, if provided, shall reflect away from residential areas and public streets. Fixtures shall be unobtrusive and complementary to the architectural design of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.

L10. A total of 21 parking spaces shall be provided per plans; visitor parking space shall be clearly marked.

L11. Bicycle parking facilities shall be provided per section 17.64.050 of the Zoning Ordinance. A minimum of one bicycle facility shall be required for this project and shall be located in close proximity to entries.

L12. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.

L13. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

L14. On site management shall be provided. If security becomes a concern and if deemed necessary by the Police Department, the applicant shall contract with a reputable security firm to provide on site security, night and day, when the management office is closed.

L15. The final color palette for all buildings shall be submitted for review and approval by the Planning Director prior to the issuance of building permit.

L16. Prior to the issuance of any building permits, the applicant shall provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).

L17. The project shall reasonably maintain the buildings and landscaping.

L18. Auto repairs are not permitted on-site at any time, except in emergencies, such as flat tire or dead battery.

L19. Visitor parking shall be strictly enforced.

Department of Transportation

L20. Construct standard public improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed to City standards and assured as set forth in Chapter 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along 12th, D and E Streets per City standards to the satisfaction of the Department of Transportation;

L21. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The existing driveways along D and E street shall be reconstructed to be ADA compliant (if existing and not compliant) to the satisfaction of the Department of Transportation;

L22. The applicant shall install on-street angled parking along D street between 12th street and 11th Street to the satisfaction of the Traffic Engineering Division:
If the City has already installed angled parking at this location before the applicant has submitted the improvement plans then the applicant shall reimburse the City the costs of installation of the said angled parking at \$6,000 per block. The determination regarding timing and need for implementation of the subject angled parking by the City will be made by Traffic Engineering Division of the DOT depending on the extent of potential delay in development of the proposed project and the parking need within the area;

L23. The two driveways along D and E streets shall function as right-in right-out only. The applicant shall install two median curbs along D and E Street to restrict left-in and left-out movements subject to the review and approval of the City's Traffic Engineer. The median curbs shall be constructed from 12th street intersection to a point after the driveways (Along D and E Street) to the satisfaction of the Department of Transportation. The median curbs construction at the 12th street intersection with D and E shall insure adequate turning radius and clearance from 12th street to D and E streets. This shall include any needed signage or markings to the satisfaction of the Department of Transportation;

L24. All gates shall be constructed a minimum of 20-feet from the driveway's flow line to the satisfaction of the Department of Transportation. All gates must remain open during PM traffic peak hours (4-6 PM) on weekdays only. The proposed gated entry along the C and D Alley does not require the 20-foot setback requirement;

L25. The applicant shall repair/reconstruct the existing alley (C & D Alley) per City standards (in Concrete) and to the satisfaction of the Department of Transportation. The limit of construction shall be from 12th street to the project's boundary along the alley;

L26. The project applicant shall pay a fair share contribution to the City of Sacramento Traffic Operation Center for the retiming and monitoring of the signals at 12th St/ D St and 12th St/E St. intersections to improve vehicle progression along the 12th Street corridor;

L27. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

L28. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards along the site's frontage only;

L29. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Transportation;

L30. The applicant shall coordinate with Regional Transit and make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit. The applicant shall also coordinate with Regional Transit regarding the proposed trash pickup location along D Street and the possible conflict with the existing bus stop within the project's frontage along D Street.

L31. The applicant shall apply for and record a lot merger to accommodate the proposed development on this site prior to obtaining any Building Permits.

Fire

L32. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.

L33. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

L34. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

L35. Provide appropriate Knox access for site.

L36. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.

L37. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.

L38. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8

Utilities

L39. Only one domestic water service will be allowed per parcel. Any new domestic water services shall be metered. All existing water service connections off of the 6-inch

water main in D Street/E Street alley within the frontage of this project shall be abandoned to the satisfaction of the Department of Utilities (DOU).

L40. Per City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks.

L41. The applicant/owner is required to extend a 12" water main in D Street and E Street from the existing water main in 12th Street to the east property line of the subject lot. The design, construction and alternate alignment of the water main shall be to the satisfaction of the Department of Utilities.

L42. The applicant shall install a gate valve on the existing 6-inch water main in D Street/E Street alley east of the second light rail track, at the location acceptable to the Department of Utilities.

L43. A minimum of one fire hydrant will be required on D Street and on E Street. The location of these hydrants shall be to the satisfaction of the Department of Utilities and the Fire Department.

L44. The existing fire hydrant in D Street/E Street alley shall be abandon to the satisfaction of the Department of Utilities.

L45. All water services to this project shall connect to the new water main in D Street and E Street only.

L46. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.

L47. The parcel shall have a separate street tap for a metered irrigation service.

L48. All onsite water, sewer and storm drainage shall be private systems maintained by the owner.

L49. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.

L50. If required by DOU, the applicant shall enter into and record a Hold Harmless Agreement, in a form acceptable to the City Attorney, for any permanent structure (including without limitation concrete slabs, fences, decorative pavement, and similar structures) that will be constructed on top of the water and combined sewer system.

L51. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee (per City Council Resolution 2005-162) prior to the issuance of any building permit. The impact to the CSS due to the Equivalent Single-Family Dwelling (ESD) unit is estimated to be 62 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$101,000 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.

L52. The applicant shall remove the section of the existing combined sanitary sewer main fronting the property in D Street/E Street alley and install a new pipe section and appurtenances. No new sewer services connection is allowed in this section. The new section shall be either a ductile iron pipe or a PVC placed in steel casings and shall be approved by the DOU.

L53. All sewer services shall connect to the existing combined sanitary sewer main in D Street and E Street only.

L54. If required by the DOU, the applicant shall provide a key to access the gate for maintenance and repair of the existing underground utilities.

L55. Onsite sewer and drainage mains shall be separate systems.

L56. Prior to or concurrent with the submittal of improvement plans, a combined sanitary sewer study is required and shall be approved by the DOU. The study shall provide an analysis of the pre and post development condition of both the sewer and drainage flow that is contributing to the combine system. Based on the analysis, the applicant may be required to provide onsite storage or upsize the existing 8" combined sanitary main in D Street and E Street Alley. Sufficient off-site and on-site spot elevations shall be provided in the study to determine the direction of storm drain runoff.

L57. Finished lot pad elevations shall be a minimum of 1.2 feet above the highest adjoining back of walk of sidewalk elevation and 1.5 feet above the controlling overland release elevation or as approved by the Department of Utilities.

L58. The applicant may not develop the project in anyway that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. The project shall construct the required public and/or private infrastructure to handle off-site runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle off-site runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record and Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

L59. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to

existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.

L60. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

L61. This project will disturb greater than 1 acre of property, 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 at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) certification by property owner or authorized representative.

L62. Provide a minimum clearance for the walkway (located on top of the D Street/ E Street alley) to the satisfaction of the Department of Utilities.

Building

L63. This project consists of multiple buildings that are going to be erected on a single lot. According to section 503.1.2, multiple buildings on the same lot shall be regulated as separate buildings or shall be considered as portions of one building. Building Code analysis shall be provided to demonstrate compliance with Sections 503, 504, 506 and 704.

L64. On East side, all three new apartment buildings are located 5'-5" away from East property line. To comply with wall and opening protection requirements and since those new buildings are classified as R-2 occupancy group, 1 HR fire rating is required for East wall and openings in East wall are limited to 10% of unprotected and 25% protected per Table 704.8.

L65. All portions of proposed building and facilities shall be accessible to persons with disabilities as required by Chapters 11A of 2007 CBC.

Police

L66. All alarms shall comply with Sacramento City Code.

L67. The developer/applicant shall enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours. A security person shall be provided to patrol the project after normal working hours during all phases of construction, and adequate security lighting shall be provided to illuminate vulnerable equipment and materials. An acceptable alternative to a security person would be a portable lighting/video system.

L68. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.

L69. Exterior doors into hallways and doors leading into stairwells shall have self locking (dead latch) devices allowing egress to the exterior of the building or stairwell but requiring a key to be used to gain access to the interior of the building from the outside or into the hallway from the stairwell.

L70. Exterior doors into the building and doors leading into stairwells shall be equipped with self-closing devices.

L71. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame (sliding).

L72. The sliding portion of a sliding glass window shall be on the inside track.

L73. Hostile vegetation, such as shrubs with thorns or leaf shapes that make them very undesirable for people to walk through is highly recommended. Shrubs around dumpster enclosures should be hostile in structure to help prevent undesirable access to the dumpster. Additionally, dumpster enclosures shall be lockable.

L74. Parking spaces that are assigned to residents shall not be numbered to coincide with dwelling unit numbers.

L75. Handicapped spaces shall be clearly marked and properly posted with a painted designation on the ground and a sign on the wall or post for each stall.

L76. Signage that clearly states vehicles may be towed under authority of section 22658(a) of the California Vehicle Code is highly recommended. Without such signage, abandoned or unauthorized vehicles cannot lawfully be towed.

Parks

L77. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In

special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

Urban Forest Services

L78. Applicant must obtain a UFS permit prior to any pruning or removal of trees growing in the City right of way.

L79. All City trees adjacent to the project site are to be enclosed by a 6' high chain link fence, (minimum enclosure area of 7'x 10') prior to commencement of any construction activity.

L80. Install three on site tree planters (8'x 10', 6'x 6' and 5'x 5').

L81. Adjust pedestrian path of travel along 12th to improve traffic flow and improve street tree growing conditions.

L82. During or after final phase of construction adjust tree planters per red line along 12th Street to improve growing conditions and reduce future pavement lifting in the City right of way. "

L83. Plant trees along D Street in three turf free planter areas.

L84. Irrigation: All trees are to be irrigated on a non turf station by a minimum of two 6" or 12" pop up heads w/ nozzles that allow maximum possible installation distance from center trunk line:

- Use 3'x 12' nozzles along 12th Street (see red line).
- Use 3'x 18' nozzles along D Street
- Use ¼ throw 4' radius nozzles in smaller on site planters
- Use ¼ throw 8' radius nozzles in largest on site planter.

L85. All trees are to be planted in a gradual mound 2" to 3" above the surrounding grade and mulched with wood chips (playground fiber or coarser) to a depth of approximately 3". No groundcover or shrubs will be planted within 3' of any tree trunk.

Regional Transit

L86. Transit information shall be displayed in a prominent location in the residential sales/rental office, through a homeowner's association, or with real estate transactions. Transit information shall also be displayed in prominent locations within the business for both patrons and employees.

L87. Pedestrian amenities such as pavers, tree shading, lighting and trellises will be provided to encourage walking to transit.

L88. Project construction can not disrupt the operation of light rail service.

L89. Project construction shall not disrupt transit service or pedestrian access to transit stops and stations.

L90. Dumpsters and/or trash/recycling containers shall be located within the development or off the sidewalks during pick up days so as not to impede pedestrian traffic flow or activity.

Advisory Notes:

Utilities

1. The applicant shall comply with the abandonment process.
2. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site domestic, irrigation and fire suppression systems.
3. Multiple fire services are allowed per parcel and may be required.
4. The proposed project is located in the 100-year floodplain, designated as a Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs). Within the Shaded X zone, there are no requirements to elevate or flood proof.

Parks

5. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$109,016. This is based on 81 multi-family units at the Specified Infill rate of \$1,336 per unit; and, 5,000 sq. ft. at the commercial rate of \$0.16 per sq. ft. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

Police

6. Crime preventing environmental design strategies will be crucial in the landscaping and lighting of this multi-use development. Lighting should minimally meet IESNA standards and in some cases exceed them. The lighting plan for each area must be made with mature landscaping in mind. It is imperative that the landscaping plan is coordinated with the lighting plan to ensure proper illumination is maintained through the maturity of the trees and shrubs. If the landscaping overwhelms the lighting, reduced visibility will create an environment for crime to occur. In order to preserve visibility, we

recommend shrubs that mature around 2.5' tall, and bushes or trees with canopy no lower than 8'tall, in most instances.

7. Open masonry walls and shrub lines are inconsistent with crime prevention by environmental design strategies. We recommend against using them. However, if they are essential and cannot be avoided, masonry walls should incorporate murals and other types of graffiti reducing public art. Tall shrubs should be a hostile variety to reduce habitation by transients. Incorporating these principles in the design process is highly recommended.

8. Benches, trash cans, and bicycle racks should be placed in highly visible locations. Benches should be designed to discourage sleeping by utilizing partitions or circular designs that wrap around trees or poles. In areas such as bus and train stops where loitering is not desirable, benches should also be designed to deliver minimal comfort while still providing a temporary resting place for legitimate customers. Wrought iron benches are desirable because they provide a vandal resistant design that is difficult to damage and is easily secured to the ground.

9. Trash cans should be visibly open to discourage unlawful use. As with benches, trash receptacles should be designed to be vandal resistant. Wrought iron designs are fireproof, can be easily secured to the ground and cannot be easily broken and utilized as a weapon or projectile.

10. The majority of graffiti vandals perceive themselves as artists. Consequently, they will not disrespect another artist's work. As a result, public art is highly recommended. Locations such as large blank walls and utility service cabinets are good locations for mural type projects. Statues and other freestanding projects can also serve as excellent landmarks for way-finding.

11. Parking structures and parking lots pose a higher risk than other commercial structures for violent crime. Public perception and fear of crime in these areas is high. Consequently, parking structures and lots should incorporate crime preventing design strategies. Additional crime preventing efforts in these areas will improve public perception, which will encourage patronage of the site.

12. Structures: Parking structures should be engineered with as many open interior and exterior walls as practical. Staircases should be very open by design, or they should have glass/polycarbonate walls. Elevators should be designed with mirrors, video surveillance, and glass/polycarbonate back walls whenever possible. We recommend that consideration be given to creating retail operations that are actually part of the parking lot, thereby bringing legitimate activity to the area.

13. Lots: Wherever practical, orient buildings and/or activities toward areas that are potentially at risk. Incorporate traffic calming with raised curb planters, raised curb sidewalks and raised curb tire blocks. For larger lots, incorporate gated areas to control access to selected areas during non-peak times.

14. Depending on their location, pay telephones have a history of contributing to crime issues. Although cellular telephones have greatly reduced the need for pay telephones, there may still be a need at certain locations.

15. If it is determined that payphones are needed within a building, they should be located near the main building entrance and within constant view of employees and the general public. They should not be located out of main activity areas or near bathroom entrances.

16. For exterior locations, pay telephones should not be placed in areas that give a criminal a legitimate purpose for being present (e.g. near public bathrooms, near child care facilities etc.).

17. In recent years there has been a significant increase in the theft of construction related materials that can be re-sold or recycled. We routinely see reports of thieves stealing all the wire, all the installed toilets, even entire HVAC systems from buildings on a regular basis. Used photovoltaic panels retain a large portion of their value in today's market and can easily be sold. With this in mind, the police department strongly recommends that special consideration be given to securing the photovoltaic panels with something more than a standard nut on a threaded bolt.

18. Entrances to the bathrooms should be in constant view of employees when possible. If unable to be within constant view, they should be in high activity areas.

19. Special Use Permits: Retail establishments that require special use permits will be required to install:

4. Video surveillance systems.
5. A safe.
6. A duress alarm.

20. Video surveillance is becoming a standard security feature in the City of Sacramento. Arrested criminals frequently tell detectives they analyzed various sites before committing their crimes and chose the site without video surveillance cameras. Ideal locations for cameras are on light poles, power poles and building corners. Cameras should be capable of capturing doorways, playgrounds, plazas, and parking lots. Digital recording devices capable of storing 30 days of information are ideal. If the system is based in the building's control room, it can be a valuable tool for building staff and firefighters in the event of an emergency.

21. Way-finding elements help prevent crime. Lack of way-finding can lead to fear, confusion and possibly exposure to crime. It is important to incorporate clear way-finding measures within large structures, in public plazas and areas. This can be achieved via architectural landmarks, landscaping, lighting, pavement transitions and signage.

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