

CAPITOL 80 PUD

CONDITIONS OF APPROVAL

P88-009

The applicant shall:

1. Pay for the cost (connection fees) of providing water to the site.
2. Participate in the Transportation Systems Management Programs (TSM) referenced in the 1988 South Natomas Community Plan. Upon adoption of the TSM Implementation Program by the City, this participation may include but is not limited to provision of trip reduction facilities, a framework for trip reduction services and funds for monitoring and enforcement.

Submit for review and approval (in accordance with the guidelines set forth in the City's TSM Ordinance) with each special permit application a Preliminary Transportation Systems Management Program designed to achieve the trip reduction level specified in the South Natomas Community Plan or the City's current TSM Ordinance in effect at the time of special permit application, whichever requirement achieves the greater reduction. A draft of the Transportation Management Plan (TMP) shall be submitted at least 60 days prior to issuance of the building permit. A building permit shall not be issued until the TMP has been reviewed and approved by the City's Transportation Division and Planning Division.

Submit for review and approval with each special permit application, documentation demonstrating successful performance in implementation of TSM facilities for the development.

Incorporate the final, approved TMP in the Covenants, Conditions, and Restrictions (C.C. & R's) for the project and bind all subsequent owners of the site to all previously agreed upon TSM provisions.

Provide funding and resources to the Transportation Management Association servicing the area as requested and outlined by the City. This participation may include the provision of funding and resources to the Transportation Management Association for that area.

Comply with any applicable requirements of the current Citywide TSM Ordinance.

- 3. Submit with each special permit application a letter from Regional Transit verifying that Regional Transit has been consulted with regard to the impacts of the development design on transit efficiency and effectiveness in serving the site.
- 4. Join other South Natomas office/business park developers and employer tenants in working with the Sacramento County Air Pollution Control District to develop a mitigation program consisting of new traffic and air quality mitigation measures not already identified in the South Natomas Community Plan and EIR.
- 5. Dedicate the easements and construct the following improvements necessary to complete the bikeways outlined in the Sacramento Bikeway Master Plan and the South Natomas Community Plan (Revised). All easements, final design and alignments shall be to the satisfaction of the Traffic Engineer.
 - a. A bike trail as part of the seven (7) acre park master plan with a connection to the Ninos bike trail in the 23 acre park site to the west, a connection to Laurelglenn Drive to the east, and a connection to the on-street bike lanes on Rosin Boulevard to the north at the "T" intersection on the eastern end of the loop road.
 - b. Five foot bike lanes on Rosin Boulevard, 80 feet of right-of-way shall be required for the roadway with a non-standard cross section of 66 feet in curb-to-curb width with no parking allowed.
- 6. Work with the Private Industry Council to develop an employment plan for South Natomas and North Sacramento residents.
- 7. Cease construction if at any time during construction artifacts are discovered, until a qualified archaeologist can examine the find and recommend preservation or possible mitigation if the find is significant.

8. Participate in a Facilities Benefit Assessment (FBA) District or other fair and appropriate financing mechanism to be formed to finance needed public infrastructure and community facilities in South Natomas. ~~capital improvements in South Natomas for a library, fire station and streets including but not limited to roadways, curbs, gutters, sidewalks, drainage, traffic controls, lighting, bridges, culverts and interchanges.~~ The exact amount of dollar participation by the Facilities Benefit Assessment District for each of the improvements will be specified at the time that the District is formed. Fees paid to the district shall be based upon the relative benefit or need of the capital improvement realized by development depending upon land use.

~~If the FBA District has not yet been approved, the Council shall determine the contribution to the FBA. Credit shall be granted against any facilities benefit assessment subsequently levied for any payment made pursuant to this paragraph. The fee amounts shall be adjusted annually. The method of adjustment shall be specified when the District is formed.~~

Granting of future discretionary land use entitlements beyond zoning shall be withheld until the FBA or other financing mechanism is in place, unless the applicants agree to participate in the FBA or other equitable funding mechanism to finance needed community facilities at the time of discretionary land use entitlements. **

~~Prior to approval of any subsequent planning entitlements, a Facilities Benefit Assessment (FBA) District or other fair and appropriate financing mechanisms shall be established to fund needed public infrastructure and community facilities in South Natomas. These fees will help mitigate the impacts of the project on the community.*~~

9. NOTE TO BE PLACED ON THE SUBDIVISION AND PARCEL MAPS LOCATED IN SOUTH NATOMAS:

The Federal Emergency Management Agency (FEMA) is studying this area to ascertain whether the area is adequately protected from the 100-year flood. If the data developed in the study shows the absence of such protection, the FEMA 100-year floodplain standards must be satisfied as a condition for issuance of City building permits and other approvals.

In the event that FEMA protection is lost (before or after the issuance of building permits), or in the further event that property in the project is damaged or persons present in the project are injured as a result of flooding, the property owner and the applicant shall hold the City harmless and waive all liability against the City arising from either of such events. **

- 10. If a special permit or tentative map is approved by the City for development of this area, a condition will be attached requiring the dedication and improvement of Rosin Boulevard to an 80 foot right-of-way. Provided, however, nothing herein shall require such dedication or improvement before it is specifically needed for site development of the highway commercial, office or park on Capitol/80 Properties; and, provided further, such construction shall be subject to reimbursement by the City of Sacramento for construction of the middle two lanes pursuant to City practice.

The alignment of Rosin Boulevard shall be subject to the approval of the Traffic Engineer.

This condition does not limit the City in its authority to require dedication and improvement of other improvements within the subject property at the time of said approval. The northerly loop road that appears on various maps is no longer a requirement. **

- 11. Prior to submitting a request for a Special Permit or Tentative Map, the applicant shall submit a Schematic Plan reflecting building pads and the proposed circulation systems for review by staff.
- 12. Provide an irrevocable offer to dedicate a 7 acre park site to the City of Sacramento per the PUD prior to any subsequent planning entitlements. **

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* Staff Amended 10/6/88
 ** Staff Amended 11/22/88