

P03-087 – 65<sup>th</sup> Street Village Center

- REQUEST:
- A. Environmental Determination: Negative Declaration;
  - B. Mitigation Monitoring Plan;
  - C. Special Permit to occupy more than 50 percent of the gross square footage on a residential development with non-residential uses in the 65th Street Transit/ University Village Area on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;
  - D. Special Permit to increase the amount of parking allowed for non-residential uses in the 65th Street Transit/ University Village Area on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone (Withdrawn by Applicant);
  - E. Variance to increase the number of signs and sign area in a residential zone; and
  - F. Plan Review for the construction of a 42,550 square foot mixed use project within the 65th Street Transit/ University Village Area.

LOCATION: SW corner of 65<sup>th</sup> Street & Folsom Boulevard  
APN: 008-0010-003  
Sacramento Unified School District  
Council District 3

APPLICANT:	Mark Friedman, (916) 381-1887 7750 College Town Drive, #350 Sacramento, CA 95826
OWNER:	65 <sup>th</sup> Street Village LLC Same as above
APPLICATION FILED:	August 8, 2003
STAFF CONTACT:	Ted Kozak, (916) 808-1944

SUMMARY:

The applicant is requesting entitlements to construct a 49,252± square foot mixed use project on 2.7± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone. The development consists of 21,700 square feet of retail in Building A, 11,350 square feet of ground floor retail, 9,500 square feet of residential space on the second and third floors in Building B, 154 parking

spaces located at the rear of the site, and a central plaza area or gathering space located at the corner of 65<sup>th</sup> Street and Folsom Boulevard, between the Buildings A and B. Building A will be a single story retail building, 30 feet in height, and Building B will be a three story residential and retail building, 42 feet in height (55 feet, including architectural feature).

The project is the first residential mixed-use development proposed within the newly adopted 65<sup>th</sup> Street Transit/ University Village Area, adopted by the City Council on October 29, 2002 (Resolution 2002-725 and Ordinance 2002-042). The University Transit Village Plan area is prime for new office, retail, and residential construction due to four underlying factors: (1) The 65th Street Light Rail station, (2) close proximity to SMUD and CSUS (employment and housing generators), (3) easy access to Highway 50, and (4) a strong real estate market to the west of the station. SMUD and CSUS provide a large daytime population able to support local retailers, while the station and Highway 50 provide easy access. Student, staff, and faculty demand for housing is expected to increase over the next twenty years. The proposed project is anticipated to spur further mixed-use development in the Plan area. In evaluating the project the basic issues appear to be infrastructure improvements, easements, and signage.

#### RECOMMENDATION:

**Staff recommends approval of the project, subject to conditions.** This recommendation is based on the conclusion that the 65<sup>th</sup> Street Village Center is consistent with General Plan and the 65<sup>th</sup> Street Transit/ University Village Plan, which contains policies to encourage the location of residential mixed uses on major transportation corridors, such as Folsom Boulevard and 65<sup>th</sup> Street. The project meets underlying goals and policies for the Transit/ University Village Plan as a "catalyst" project, since the project establishes a critical mass of residential and commercial uses at a floor area ratio (FAR) of at least 0.4, provides convenient, pedestrian friendly, retail opportunities for CSUS students and light rail riders. The buildings of the project are oriented with minimum setbacks from the adjacent streets to establish a "storefront street" feel, provides a visual link between businesses and pedestrians, the parking is located at the rear of the site, and the project promotes increased pedestrian activity due to its close proximity to 65<sup>th</sup> Street light rail station and Sacramento State University.

#### PROJECT INFORMATION:

General Plan Designation:	Residential Mixed Use
Existing Land Use of Site:	Vacant, previous CalTrans site
Existing Zoning of Site:	RMX-TO zone

#### Surrounding Land Use and Zoning:

North: Gas Station, Retail, Office, Residential; Residential Mixed Use Transit Overlay (RMX-TO) zone

South: Vacant and SMUD offices; Residential Mixed Use Transit Overlay (RMX-TO) and Heavy Commercial (C-4) zones

East: Retail, Office & Bus Transfer lot; Residential Mixed Use Transit Overlay (RMX-TO) zone

West: Vacant & Retail; Residential Mixed Use Transit Overlay (RMX-TO) zone

Property Dimensions:	approx 331' X 336'
Total Parcel Area:	2.3± net acres
Square Footage of Building:	49,252± square feet
Height:	
Building A:	30' (one story)
Building B:	42' (two stories)
Maximum Height Allowed:	55 feet*

Exterior Building Materials:	Block/ Plaster/ Metal
Hours of Operation:	TBD
Maximum Parking Allowed:	140
Parking Provided:	154
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
*Mixed Use Projects only	

**OTHER APPROVALS REQUIRED:** In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	Building Division
Off Site Improvements	Public Works/ Plan Check

**BACKGROUND INFORMATION:**

*History*

The 65th Street/University Transit Village Plan provides land use, parking/circulation, open space, design guidelines, infrastructure goals, policies and objectives, and implementation measures which will guide land use decisions over the next twenty years for the area roughly bounded by the UP Rail line on the north, and the U.S. 50 freeway to the south and west. The Plan envisions intensive residential and commercial mixed use development to increase RT rider ship at the 65th Street bus transfer and light rail stations, by improving pedestrian and bicycle circulation and access to light rail, providing housing opportunities to serve the California State University, Sacramento campus, resulting in a stronger connection between the CSUS, the East Sacramento neighborhood, and the 65th Street Station.

The University/ Transit Village Plan was prepared pursuant to the provisions of the Transit Village Development Planning Act of 1994, which provides financial and other incentives for communities that develop neighborhoods centered around a transit station that is planned and designed so that residents, workers, shoppers and others find it convenient and attractive to patronize transit.

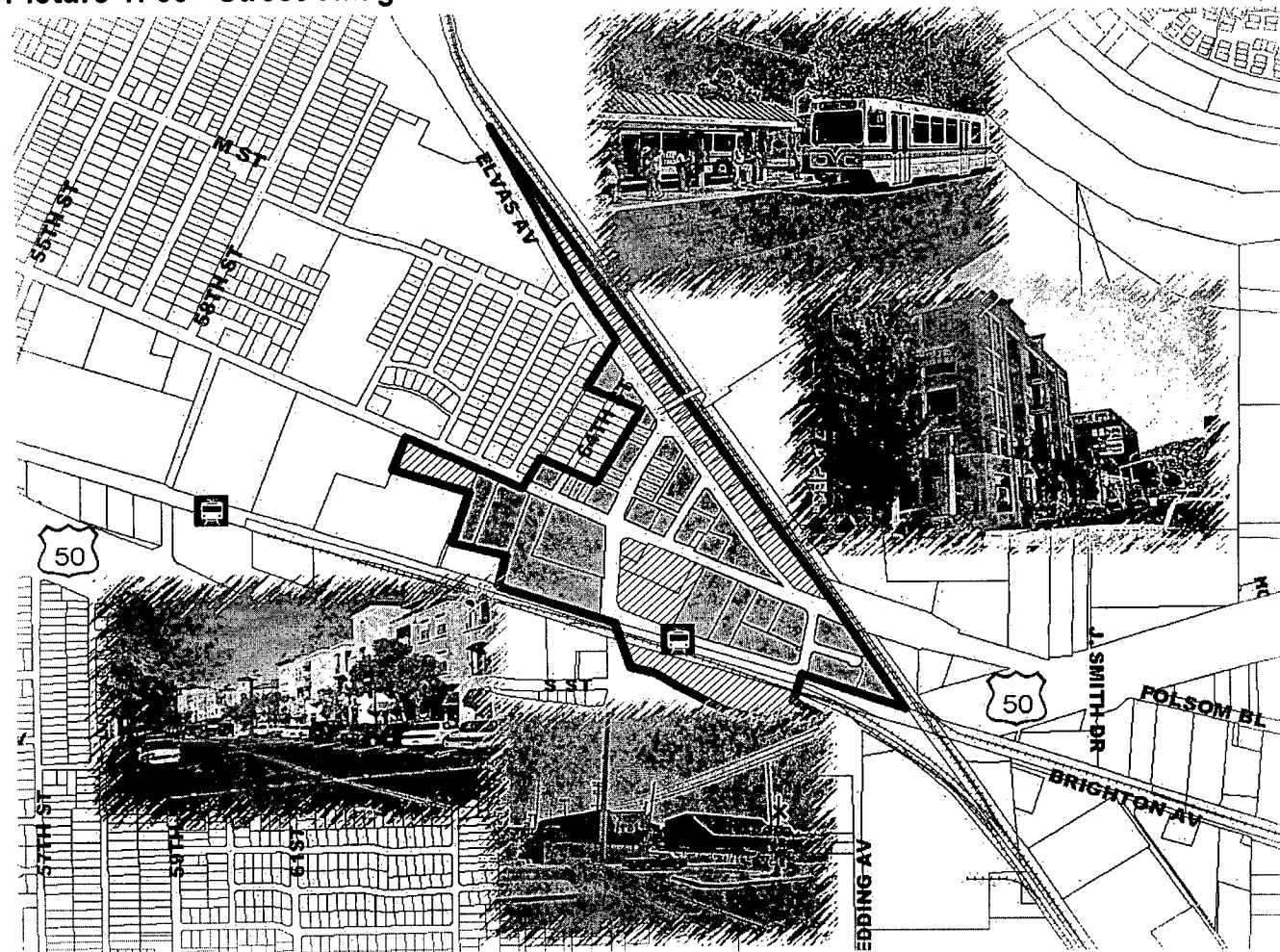
Transit Oriented Development (TOD) links transit investments with a community vision for how it wants to grow creating mixed use, denser, walkable transit villages. By implementing TOD, Sacramento can make significant progress toward promoting sustainable communities and smart growth through coordinating investments in transportation and land use planning. TOD benefits

include enhanced mobility, health benefits, choice in transportation and live, work and shopping options and reductions in infrastructure costs by promoting compact infill development.

### *Vision*

The 65<sup>th</sup> Street Transit Village Plan is envisioned as a neighborhood/ university mixed-use district, which provides a lively mix of housing types, retail, and employment uses to increase transit ridership and pedestrian activity. The Plan envisions 65<sup>th</sup> Street as a pedestrian scale Main Street, which connects the University to the surrounding neighborhood and the 65<sup>th</sup> Street transit station. The design of the transit village will emphasize more convenient pedestrian connections for shoppers, employees, and residents to the surrounding community, university, and station. In the future, the Plan envisions a transition from an auto oriented and industrial district to transit oriented development. Financial and regulatory incentives that are to be provided will encourage development of transit supportive and sustainable development consistent with the Plan, in a manner that avoids conflicts with existing industrial and service oriented uses.

**Picture 1: 65<sup>th</sup> Street Village Plan Area**



STAFF EVALUATION: Staff has the following comments:A. Policy Considerations

The General Plan and the 65<sup>th</sup> Street Transit/ University Village Plan designates the project site as Residential Mixed Use. The site was rezoned and redesignated on October 29, 2002 (M00-004, Resolution 2002-725 and Ordinance 2002-042) as a part of the Transit Overlay ordinance and resolution to establish transit supportive land use plans and policies for new development.

The proposed project is viewed as a catalyst project for 65<sup>th</sup> Street Transit/ University Village. As a catalyst project, it is consistent with the residential mixed use designation, which permits a higher mixed of non-residential components of mixed-use development projects within the Transit Overlay (TO) zone, with the issuance of a special permit. The project is consistent with the following General Plan and the 65th Street Transit Village Plan Goals and Policies, and the following Smart Growth Principles, as adopted by the City Council (Resolution 2001-805):

*City of Sacramento General Plan*Sec 1-30 Policy 1-

Enhance and maintain the quality of life by adhering to high standards for project and plan evaluation.

Sec 1-30 Policy 2-

It is the policy of the City that adequate housing opportunities be provided for all income households and that projected housing needs are accommodated.

Sec 2-13 Policy 5-

Continue redevelopment and rehabilitation efforts in existing target areas and identify other areas experiencing blighting conditions.

Sec 2-14 Policy 1-

Establish methods to provide more balanced housing opportunities in communities that lack a full range of housing opportunities.

Sec 2-15, Goal C-

Develop residential land uses in a manner in which is efficient and utilizes existing and planned urban resources.

Sec 2-17, Goal E, Policy 1-

Provide housing opportunities in newly developing communities and in large mixed use developments in an effort to reduce travel time to and from employment centers.

Sec 4-1 Commerce & Industry Goal B-

Promote the re-use and revitalization of existing developed areas, with special emphasis on commercial and industrial districts.

Sec 4-16, Goal A-

Ensure that all areas of the City are adequately served by neighborhood/ community shopping districts.

Sec 4-17, Goal A, Policy 2-

Promote the rehabilitation and revitalization of existing commercial centers.

Sec 4-17, Goal B-

Promote mixed use development of neighborhood/ community commercial districts through new construction and revitalization.

*65<sup>th</sup> Street Transit Village Plan*Mixed Use Village, Goal 2, pg 11

Balance residential, retail, and employment opportunities near the 65<sup>th</sup> Street station.

Mixed Use Village, Goal 3.3, pg 11

Provide regulatory incentives for residential mixed use development by allowing a lower percentage of residential uses within catalyst projects commenced within two years of plan adoption.

Mixed Use Village, Goal 4, pg 11

Establish urban densities and development standards for residential and commercial development that support transit use.

Commercial Development, Goal 6, pg 12

Allow for a mix of community and neighborhood uses that will serve the residential, employee, and student population of the area.

Residential Development, Goal 7, pg 12

Create opportunities for new residential development that can reinforce and extend the adjacent East Sacramento neighborhood as a place to live.

Residential Development, Goal 8, pg 13

Provide for a range of housing types that meet the needs of a diverse population.

*Smart Growth Principles*

- Concentrate new development and target infrastructure investments within the urban core of the region to allow for efficient use of existing facilities, infill, and reuse areas.
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- Strengthen and encourage growth in existing communities by targeting

infrastructure investments in infill and reuse areas.

*Strategic Plan*

- Promote and support economic vitality.

B. Special Permit/ Non-Residential uses

*Increased percentage of non-residential from 50 to 80 percent*

The Transit Village Overlay (TO) zone requires a minimum density of 15 dwelling units per net acre (15 du/ na) for residential properties (RMX-TO) and a minimum floor area ratio (FAR) of 1.0 for commercial development (C-2-TO) within the transit village area. The densities and intensities are to ensure development projects support transit use. However, the 65<sup>th</sup> Village Plan contains a provision for catalyst projects, in the RMX zone, allowing more non-residential development to be developed, subject to certain criteria and the approval of a special permit. The Plan identifies catalyst projects as a project that meets the following criteria: 1) Application was deemed complete before October 30, 2004; 2) Project provides retail uses that serve the surrounding neighborhood uses; 3) Complies with transit-oriented design guidelines, including minimum housing component of 20% and minimum FAR of 0.4; 4) Provides amenities that stimulate additional housing in the Plan area; and, 5) Allows no more than 10% of the property within the plan area that is zoned RMX, to be designated as 'catalyst' sites. Identifying a project as a catalyst project allows, subject to review and approval, the project to contain more than 50 percent of the building area to be for non-residential uses, up to a maximum of 80 percent and a minimum FAR of 0.4. The proposed project contains 42,252 square feet of building area, on approximately 2.3 net acres, resulting in a FAR of 0.42. The project proposes 77 percent commercial and 23 percent residential uses.

The proposed project complies with the criteria, permitting the project to be processed as a catalyst project:

- a. The project was received on August 28, 2003 and deemed complete on October 31, 2003;
- b. The size of the retail space is designed so as to attract 'specialty' retail such as neighborhood serving cafes or restaurants, and student-serving retail (Office Depot), book stores, etc;
- c. The project contains eight housing units or 23 percent of minimum housing component and a FAR of 0.42;
- d. The project is anticipated to stimulate additional housing in the area, by demonstrating the need for student housing in the area;
- e. The project applicant has documented economic hardship as determined by the Planning Director since the project will be dedicating additional right-of-way for

implementing the Transit Village Plan;

- f. The project site is approximately 2.3 net acres, which is about 7 percent of the 31.8 net acres of land in the RMX-TO zone.

Staff therefore supports the request to increase the non-residential component of the project since it qualifies as a catalyst project and is anticipated to act as a showcase project encouraging additional investment in the Plan area.

C. Site Plan Design/Zoning Requirements

1. Setbacks

The project site and adjacent land located to the east, west, north, and south is zoned Residential Mixed Use Transit Overlay (RMX-TO). The property to the north is developed with a gas station while the properties to the east are developed as retail, offices, and a bus transfer station. The adjacent property that bounds the subject parcel to the south and to the west, is developed with retail uses at the front (Folsom Boulevard), but vacant at the rear of the site. The site is situated at the southwest corner of 65<sup>th</sup> Street and Folsom Boulevard.

65<sup>th</sup> Street is considered the front of the parcel since it is the narrowest portion of the site abutting a public street, as defined by the Zoning Ordinance, while Folsom Boulevard is considered to be the street-side of the lot. The west property line is the rear of the lot and the south property line is the interior side property line. The Transit Overlay zone requires zero setbacks along the front and street-side property lines, buildings above 28 feet or two stories in height are required to set back 10 feet from the face of sidewalk, (10 feet for buildings greater than 28 feet in height), setbacks for the interior side is five feet, and a 15 foot rear setback is required in the RMX zone (see Table 1, below).

The project complies with the building setbacks as required by the Transit Village Overlay zone, as follows:

Table 1, Building Setbacks

Location	Required Setback	Provided Setback
Front (65 <sup>th</sup> St.)	Zero feet/ 10 feet*	12 feet*
Side Interior (South)	5 feet	37 feet
Street Side (Folsom Bl.)	Zero feet/ 10 feet*	10 to 19 feet*
Rear (West)	15 feet	46 feet

\*The portion of the building above 28' requires a 10 foot setback

Plans indicate varying building setbacks for the rear and side interior, of 10' to

46', which complies with all the minimum setback requirements, these setbacks accommodate the driveway and parking area. The applicant has provided 12'

and 10' to 19' setbacks along the 65<sup>th</sup> Street and Folsom Boulevard frontages, respectively, to encourage a pedestrian friendly, walkable, environment. Staff supports the provided setbacks.

2. **Parking/ Special Permit to Exceed Parking (Withdrawn by Applicant)**

The Transit Village Overlay requires the provision of not more than one parking space per 250 square feet for retail uses and requires one parking space per residential unit, plus one guest parking space per fifteen parking spaces for residential uses. Based on the proposed 32,550 square feet of retail and the proposed eight residential units, a maximum of 140 parking spaces are allowed. The submitted site plan indicates 154 parking spaces will be provided for visitors and employees of the building, exceeding the amount of parking allowed by the Transit Village Overlay zone. Just prior to submitting this report for printing, **the applicant indicated that the lot will be striped to meet the required parking spaces (140 spaces). Furthermore, due to water quality, trash enclosure requirements and lighting the additional parking spaces would likely be eliminated.**

The TO Ordinance permits a project to exceed the maximum parking ratio, subject to a Planning Commission special permit. The maximum parking ratio for non-residential projects may be exceeded, contingent upon meeting at least one of the following criteria:

- a. On-site TSM measures are infeasible;
- b. Residential neighborhoods would be impacted because no mitigation (other than additional parking) is feasible;
- c. Unique characteristics of the proposed use requires parking greater than that which is otherwise allowed;
- d. Approval of a shared parking agreement to serve two or more land uses that have distinctly different hours of operation.

The project is the first mixed-use project in the 65<sup>th</sup> Street Transit/ University Village Plan area. Consistent with the above criteria, it is appropriate to approve increased parking in that: 1) The proposed project contains unique characteristics creating heavier demand for parking that may not exist once the Plan (and the shopping center), builds and leases out; 2) The propose project's higher parking demands may impact the residential area located to the north of the site in that the residents are already impacted by the proximity to the CSUS pedestrian tunnel; and, 3) The project may require a greater parking ratio until such time that the property to the south and west is developed and the bus transfer station to the southeast is developed with a parking structure, to create a situation for shared parking and the synergy of a concentrated developed area. At the time adjacent properties are developed, (such as the property to the south and west) a portion of the parking area could be further developed with the construction of a 10,000 square foot residential building, as shown in Attachment 9. Attachment 9 was the subject of a preliminary development review in 2002 (IR02-170), but has not been analyzed as

a part of the current development application.

Furthermore, the parking calculations for the proposed project assumes that the uses will be 100 percent retail; however, if restaurant tenants are located in the shopping center, as proposed, parking demand may increase (the City Code requires restaurants to provide one parking space for every three seats). Staff has conditioned the project to require that the applicant provide 14 Regional Transit passes for residents and employees of the development, equal to the number of parking spaces the project provides, exceeding the maximum parking ratio for the Plan area, to offset the increased parking on the site. **The applicant did not wish to implement a Transportation Management Plan or provide bus passes and has withdrawn his request to provide additional parking.**

3. Circulation

*65<sup>th</sup> Street and Folsom Boulevard Configuration*

Two driveways provide vehicular access to the project: one driveway located along the west property line of the site, off Folsom Boulevard and one driveway at the south property line of the site, located off 65<sup>th</sup> Street. The proposed driveways will be right in and right-out only due to the high volume of traffic on Folsom and 65<sup>th</sup> Street. The Department of Public Works has conditioned the project to require the dedication of right-of-way on 65<sup>th</sup> Street and Folsom Boulevard and reciprocal ingress/egress at both driveways.

The applicant, however, is concerned with providing reciprocal ingress/egress to the property to the west and south, since he has been unable to reach a satisfactory agreement with the adjacent property owner. Staff believes reducing driveway cuts and providing reciprocal access points furthers the Plan's vision of providing clear, safe, and convenient access between and through developments and reduces vehicular impediments for pedestrians.

*Pedestrian Environment*

The Transit Village Plan envisions a pedestrian friendly environment, encouraging development to provide open spaces, bike lanes, vehicular and pedestrian access and buildings close to the street (65<sup>th</sup> Street and Folsom Boulevard). Goal 24 identifies a public pedestrian/ bicycle connection (see Attachment 10) from Folsom Boulevard to 65<sup>th</sup> Street. This connection is schematic as depicted in Attachment 10. While this connection is only schematic, staff believes it may be appropriate to have this connection with the development of this project. Staff is concerned that this connection may not be obtained should the property to the west and south not be developed. Staff was still involved in talks with the applicant regarding this easement at the time the staff report was due. Staff will verbally address this issue at the hearing, pending the outcome of these talks.

The project further enhances the pedestrian environment as envision in the Transit/

University Village Plan guidelines, by creating an open space plaza to be used as a gathering space for future restaurant and retail patrons. The plaza area is located between the two buildings and focused at the corner of 65<sup>th</sup> Street and Folsom Boulevard. The project further provides retail frontages with door and window openings adjacent to the sidewalk as well as constructing separated sidewalks which enhance pedestrian movement and safety.

#### 4. Traffic

The City's Department of Public Works has determined that the project will not generate traffic volumes greater than those previously analyzed in the Transit/University Village Plan. The proposed land uses are consistent with the existing land use designations as evaluated and analyzed in the 65<sup>th</sup> Street Transit Village Plan Draft Environmental Impact Report (DEIR). Therefore, no traffic study is needed.

The required right-of-way dedication for the proposed project (see Exhibit 1B) is compliant with the street dedication required by the Mitigation Monitoring Plan for the Transit Village Plan. However, the applicant opposes Public Works' conditions to require the construction of full frontage improvements along 65<sup>th</sup> Street and Folsom Boulevard in accordance with the Transit Village Plan prior to development of the project. The applicant proposes to dedicate the right of way, and construct full improvements, minus the construction of the additional travel lanes until such time a mechanism to for fair share financial reimbursement plan or assessment plan is developed. In lieu of the travel lanes, at the time of construction the applicant proposes to landscape the remainder of the right of way. Negotiations were underway at the time this staff report was written. Staff hopes to have these issues resolved prior to the Planning Commission hearing.

#### 5. Landscaping

The parking area requires compliance with the City's Parking Lot Shading Ordinance of 50 percent shading within 15 years. The 65<sup>th</sup> Street Plan also requires that a minimum of ten percent of the site to be landscaped, which may be incorporated into the shading requirements, in order to promote a relationship to the natural environment and increase human comfort through the use of appropriate vegetation. Landscaping that serves as a storm water treatment element and/ or pedestrian plaza may be used to satisfy this requirement. The Landscaping Plan (see Exhibit 1D) indicates that the parking area provides a shading area equaling 57.9 percent. The overall site contains 12 percent of landscaping, complying with these requirements. The project is conditioned so that the species selected for parking lot shading and other landscaping areas must meet the City's Ordinance related to drought tolerant plants. The plan also calls for separated sidewalks, which promotes the use of landscape planters adjacent to the street. The landscape planters will be 6 feet wide, separated by a six foot wide sidewalk along 65<sup>th</sup> Street and Folsom Boulevard.

## 6. Signage in Residential zones

The site is zoned RMX and therefore is subject to sign requirements of residential zones. Staff is considering creating separate standards for the RMX zone, in an update of the Sign Ordinance that is currently being undertaken by the Zoning Administrator. In creating new requirements for the RMX zone, staff anticipates utilizing signage approved for this site as a template for the RMX zone.

The current standards for signage in the RMX zones is the same as those in any residential (R) zone; signs or nameplates are permitted for multi-family uses, as follows:

For multi-family uses, one sign not exceeding twelve (12) square feet in area per each street frontage, and for all other nonresidential uses, one identification sign and one bulletin board for each street frontage not exceeding a total of sixteen (16) square feet in area. Attached signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with. Any detached sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The detached sign may be placed in the landscaped setback area; however, it must be located farther than ten (10) feet from the public right-of-way.

### *Variance to increase the number of signs and sign area in a residential zone*

The 65<sup>th</sup> Street Transit/ University Village Plan does not address the Residential Mixed Use (RMX) zone signage requirements, and the City Code does not contain signage requirements for the RMX zone. Staff agrees with the applicant that the general residential signage requirements, which allows up to a maximum of 16 square feet of sign area per development is unreasonable for the proposed project.

However, the project requires a variance to increase the number and area of signage allowed. Since the project is the first new development within the Transit Village area, staff has worked with the applicant to develop signage requirements to be used not only for the project, but also for all future development located in the RMX Transit Overlay zone (see Table 2). Because the vision of the Transit Village Plan is to create a pedestrian friendly environment, staff has required, with a few exceptions, the project to adhere to the Central City Pedestrian Orientation signage principles (page 3-38, Central City Neighborhood Design Principles), listed below:

- 3.E.1.1 Signage should not be orientated to automobiles on surface streets or freeways.
- 3.E.1.2 Signs should not exceed 20'-0" above the ground or be higher than the building cornice line.
- 3.E.1.4 Signs in shop front windows that block visibility into the shop should cover the lesser of 4 square feet or 25% of the window area.

- 3.E.1.5. Pole signs and monument signs are highly discouraged. Building mounted signs are preferred.

Staff proposes signage for the project, and the RMX zone, be a mix between Limited Commercial (C-1) and General Commercial (C-2) zone signage requirements in the City Code. The C-1 zone limits uses to one attached sign, with a maximum of one square foot of sign area per front lineal foot of building area, and one detached sign, maximum of 24 square feet in area, and six feet in height. The C-2 zone allows up to two attached signs, with a maximum of three square feet of sign area per lineal foot of building frontage, and one detached sign, with a maximum of one square foot of sign area per one lineal foot of building frontage, and 35 feet in height.

#### ***Attached Signs***

Staff proposes one attached sign be permitted for each tenant occupancy. Said signs would be one square foot of sign area for each front foot of building occupancy. In order to encourage street access and parking in the rear, tenants will be permitted an additional sign of one square foot of sign area for each front foot of building occupancy, if at least one of the tenant entries faces the street. Additionally, a maximum of 70% of the building face it is attached to, may be covered. For example, Tenant A.1 (see Exhibit 1B, Building A) contains 156 feet of front building occupancy. Therefore, if no entry is located along the street frontage, Tenant A.1 is permitted to locate one attached sign at the front or rear of the tenant space, up to 156 square feet of sign area. If at least one entry is located along the street (in this case, Folsom Boulevard), then that tenant is permitted to locate one attached sign at the front and at the back, up to 156 square feet of sign area per sign (which permits double the sign area).

The applicant also proposes an attached identification sign for the shopping center on Building B, near the intersection of 65<sup>th</sup> Street and Folsom Boulevard. The sign area for this sign is over and above the attached sign area, as detailed above. Staff supports the provision of the "F-65" for the project, since the project is a 'catalyst' project for the area, providing an icon or focal point to the area. The "F-65" sign also can be considered as an architectural feature, enhancing the design and materials of the project. Staff has conditioned the sign copy for the attached "F-65" Center Identification sign to be no greater than 67 square feet in area, as shown on Exhibit 1F.

#### ***Detached Signs***

##### ***Tenant Sign***

Staff further recommends one tenant map directory (4'x4') that is up to 6' in height and is located within 5' of the parking lot, similar to internal directories located within shopping malls. The tenant directory will allow customers to access store location information conveniently near the plaza entry, while reducing signage facing the parking area.

***Monument Signs***

Staff also supports one monument sign, per street frontage, up to a maximum of six feet in height and 24 square feet in area per sign. The applicant proposes one six foot high, 24 square foot monument sign at the southeast corner of the site's driveway entry off 65<sup>th</sup> Street, complying with the requirement.

***Center Identification Sign***

In lieu of providing a second monument sign, a freestanding "F-65" Center Identification sign integrated so as to be an architectural feature of the project, but considered as a sign by the sign ordinance, is proposed. This sign will complement the attached "F-65" sign, as stated above. As a catalyst project, staff agrees that these signs are appropriate to provide distinctive advertising for the shopping center that is unique, creating a lively, exciting, fun atmosphere, and adding architectural interest to the stairway and corner of the Building A. Staff has conditioned the freestanding "F-65" Center Identification sign be no higher than 55 feet in height, and 123 square feet in area, as shown in Exhibit 1F.

***Total Signage***

The applicant does not agree to the condition that restricts the number and size of attached signage contingent upon the provision of front entries on the street. Staff finds the restriction appropriate since the intent of the Transit Village is to enhance a pedestrian-friendly shopping experience, and that similar mixed-use projects, such as the Fremont Building (located on 16<sup>th</sup> Street between O and P Streets), restricts signage to only one sign per tenant and one square foot of sign area per one foot lineal building frontage. In the Transit Village Plan, tenants will be rewarded with double the signage allowed, if entries front to the street. Further, staff is granting the applicant's request for the "F-65" attached (67 square feet) and detached (123 square feet in area) signs, totaling 190 square feet over and above the amount of attached and detached signage allowed for each tenant in the shopping center. This project, as supported by staff, has the potential of having 22 attached signs and 2 detached signs, in addition to the one attached and one detached "F-65" Center Identification signs. Staff supports the amount of signage, as conditioned.

Table 2: Signage

<b>Proposed Signage for the TO Zone</b>		
	<b>Attached Sign</b>	<b>Detached Sign</b>
<b>Residential uses/ Sign Ordinance</b>	16 SF total 1 sign total	16 SF total 1 sign total 6' max height
<b>C-1 Sign Ordinance</b>	1 SF per 1 foot of building occupancy 1 sign	24 SF 1 sign
<b>C-2/C-4 Sign Ordinance</b>	3 SF per 1 foot of building occupancy	1 SF per 1 foot street frontage 35' max height 1 sign for every 300 feet max.
<b>Staff Signage Recommendation for Proposed Project</b>		
<b>No Pedestrian entry from street frontage:</b>	1 sign for a total of 1 SF of sign area for each front foot of building occupancy  1 center identification sign; not to exceed 67 sf	1 tenant directory 16 sf; 6' in ht 1 monument sign per street frontage; 24 sf; 6 ft in ht. 1 Center Identification signs; 55' in ht; 123 sf is sign area
<b>Minimum 1 Pedestrian entry from street frontage:</b>	2 signs; Each sign being a total of 1 SF of sign area for each front foot of building occupancy  1 Center Identification signs; 55' in ht; 123 sf is sign area	1 tenant directory 16 sf; 6' in ht  1 monument sign per street frontage; 24 sf; 6 ft in ht.  1 Center Identification signs; 55' in ht; 123 sf is sign area

D. Building Design

The 65<sup>th</sup> Street Transit/ University Village contains design guidelines, to create a lively,

pedestrian oriented public environment by clearly defining public areas, increasing safety, and adding interest to building frontage (Goal 15, Transit Village Plan). The guidelines are a reference source for the project design and review, which encourages creativity, flexibility, and variety. The key consideration is that the Transit Village Plan welcomes alternative designs that, while not meeting every design principle, contributes positively to the Transit Village concept (Transit Village Plan, Section C2, page 14).

The project site is not located within a design review district. Design Review staff has worked with the applicant and Planning staff to refine the project by incorporating ground floor windows and doorway openings into the project, and clarifying the quality and type of materials used for the project. The applicant has provided a statement, describing the intent behind the project's design and materials provided (see Attachment 8).

#### *Site Design*

1. The total project comprises approximately 43,000 square feet of development in two buildings. Building A is a 22,000 square foot single-store structure along Folsom Boulevard. Building B is a 21,000 square-foot two-story building, with ground floor retail uses and second-story residential lofts. Building B will be constructed along the 65th Street edge of the property.
2. The buildings establish an urban edge with pedestrian and bicycle connections leading to a central plaza at the intersection of 65th Street and Folsom Boulevard. All of the parking spaces are located behind the building, shielded from view. The orientation of the buildings and the location of street access points have been designed to accommodate significant residential development on the adjacent, vacant site located to the south and west.

#### *Building Design/ Materials*

1. In many other cities, lofts have served as a transitional housing type with strong appeal to "urban pioneers," individuals willing to move into a transitional neighborhood and participate in its transformation. While the definition of "loft" has been watered-down by real estate agents seeking to capitalize on their popularity, the essential elements of a loft include: high volume space, large windows, minimally divided interior spaces, and exposed structural elements or other attributes of industrial character. In the proposed project, each of the eight loft units will have ceiling heights in excess of 14 feet, large windows, an interior mezzanine space that can function as a separate bedroom, and access to outside balcony or deck space. Interior finishes will include polished concrete floors, exposed spiral ductwork and a visible ceiling truss system.
2. The retail component of the project is designed to complement the loft-character of the project. Retail tenants will be encouraged to incorporate the exposed metal roof system and ductwork into their interior store design, creating a sophisticated urban retail presentation. While the principal store entrances will be located on the interior elevations of the project, special care has been taken to animate the street

façade. The orientation of the plaza toward the main intersection will display an active café-culture and invite passers-by to stop and enjoy the project.

3. Exterior building materials will be chosen to reinforce the loft character of the project. Principal materials include: masonry block, exterior metal skin in a variety of corrugated profiles and colors, large areas of glazing, exposed structural beams and plaster. These elements have been chosen for their honesty, durability, and loft connotations. Accent materials will include fabric awnings, wood trim, and site furniture. Exterior landscaping will soften the edge between street and building and create a buffer between plaza seating and passing traffic.

The project generally complies with Transit Village Plan site and building design Guidelines to create neighborhood identity through consistent design, scale, and mass, using quality materials and appropriate styling. The development contains a modern, alternative design containing geometry and materials that denotes loft housing with an urban, edgy design. The applicant proposes to use quality materials and best construction techniques, including the use of durable materials (metal, brick, stone, concrete), rather than wood. The design of the buildings will integrate with their surrounding context in terms of function, scale, and massing and will employ appropriate levels of detail and articulation. The site plan will create a lively, pedestrian oriented public environment by clearly defining public areas, increasing safety, and adding interest to building frontage. Since the applicant has not finalized the materials and colors of the project, staff has conditioned the project to require Planning Director review of the plans prior to issuance of building permit to ensure windows shall be provided on the street level as a visual link between business and pedestrians, and quality materials and design features are integrated into the project.

#### PROJECT REVIEW PROCESS:

##### A. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact to the environment; therefore, a Mitigated Negative Declaration (MND) has been prepared. In accordance with CEQA Guidelines 15152 and 15168, the MND incorporates by reference, setting, analysis, impacts and mitigation measures from the 65th Street Transit Village EIR adopted by the City Council on 10/29/02.

In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address air quality, noise, geology, hazardous materials, combined sewer system, drainage and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit 1A).

The 20-day public review period for the MND is from December 9, 2003, to December 30,

2003. The staff report was completed before the City received any comments on the MND. Any comments received on the MND would be provided to the City Planning Commission prior to the Planning Commission hearing on January 8, 2003.

The proposed project is consistent with the General Plan, its DEIR, and the 65th Street Transit Village Plan and the 65th Street Transit Village Project EIR. The City of Sacramento, Department of Public Works has reviewed the project and determined that trips generated from the proposed project will have a less-than-significant impact.

B. Public/Neighborhood/Business Association Comments

The project was routed to the East Sacramento Improvement Association and to owners of properties within 500' radius of the proposed project. No comments have been received regarding the project.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. Staff has incorporated comments as conditions of approval for the project.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny the request. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact adopting the Negative Declaration;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Mitigation Monitoring Plan;
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to occupy more than 50 percent of the gross square footage for non-residential development in the 65th Street Transit Village Plan on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;
- D. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to increase the amount of parking allowed for non-residential uses in the 65th Street Transit Village Plan on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone (Withdrawn by applicant);
- E. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to increase the number of signs and sign area in a residential zone; and

- F. Adopt the attached Notice of Decision and Findings of Fact approving the Plan Review of the construction of a 42,550 square foot mixed use project within the 65th Street Transit Village Plan.

Report Prepared By,

Report Reviewed By,

\_\_\_\_\_  
Ted Kozak, Associate Planner

\_\_\_\_\_  
Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Mitigation Monitoring Plan
Exhibit 1B	Site Plan
Exhibit 1C	Site Plan with Existing Conditions
Exhibit 1D	Landscape Plan
Exhibit 1E	Elevations – Building A
Exhibit 1F	Elevations – Building B
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map
Attachment 4	Solid Waste Comments
Attachment 5	Regional Transit Comments
Attachment 6	SMAQMD Comments
Attachment 7	Statement of Intent
Attachment 8	Statement of Design
Attachment 9	IR02-170 Site Plan
Attachment 10	Transit Village Circulation & Pedestrian Plan
Attachment 11	Applicant's Proposed Signage for Building A

**NOTICE OF DECISION AND FINDINGS OF FACT FOR  
65<sup>TH</sup> STREET CENTER, LOCATED ON THE SW CORNER OF FOLSOM BOULEVARD &  
65<sup>TH</sup> STREET, SACRAMENTO, CALIFORNIA, IN THE RESIDENTIAL MIXED USE TRANSIT  
OVERLAY (RMX-TO) ZONE.  
(P03-087)**

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At the regular meeting of January 8, 2004, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination, Ratify Negative Declaration;**
- B. Approved the Mitigation Monitoring Plan;**
- C. Approved the Special Permit to occupy more than 50 percent of the gross square footage for non-residential development in the 65th Street Transit Village Plan on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;**
- D. Withdrew the Special Permit to increase the amount of parking allowed for non-residential uses in the 65th Street Transit Village Plan on 2.37± acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;**
- E. Approved the Variance to increase the number of signs and sign area in a residential zone; and**
- F. Approved the Plan Review of the construction of a 42,550 square foot mixed use project within the 65th Street Transit Village Plan.**

These actions were made based upon the following findings of fact and subject to the following conditions:

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**FINDINGS OF FACT**

- A. Negative Declaration: The City Planning Commission approves the Negative Declaration, based upon the following findings:
  - 1. The Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;
  - 2. The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and
  - 3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment.

B. Mitigation Monitoring Plan: The Mitigation Monitoring Plan is approved based upon the following findings of fact:

1. One or more mitigation measures have been added to the above-identified project;
2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1A;
3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and
4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.

C/F. The Special Permit to occupy more than 50 percent of the gross square footage for non-residential development in the 65th Street Transit Village Plan and the Plan Review of the construction of a 42,550 square foot mixed use project within the 65th Street Transit Village Plan, on 2.37 acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone: The Special Permits and the Plan Review are approved based on the following findings of fact:

1. The project, as conditioned, is based upon sound principles of land use in that:
  - a. The development is consistent with the applicable Transit Village Plan and Transit Village design guidelines;
  - b. The development is consistent with the development standards set forth in the Transit Village Plan;
  - c. The project provides convenient, accessible retail uses and housing opportunities;
  - d. The project will utilize an existing vacant lot; and,
  - e. The project will promote pedestrian activity and transit ridership.
2. The project, as conditioned, will not be detrimental to the public welfare, safety, or result in the creation of a public nuisance in that:
  - a. Adequate parking is provided since the project is within walking distance of transit, SMUD and the university , major employment and user generators;
  - b. Parking is located at the rear of the site, promoting increased pedestrian activity;
  - c. The project promotes a safe pedestrian environment by providing windows at the

street level, allowing a visual link between businesses and pedestrians, and providing plaza areas which will promoted more eyes on the street; and

- d. Adequate landscaping will be provided around the perimeter of the property/ parking area, to screen future residential uses adjacent to the site, as well as adding to the pedestrian environment by providing separated sidewalks; and,
  - e. The proposed project will eliminate the potential for nuisance activities such as illegal dumping on a vacant lot(s).
3. The project, as conditioned, complies with the General Plan and the Transit Village Overlay, which designate the site as Residential Mixed Use and promotes a mix of uses.

E. The Variance to increase the number of signs and sign area in a residential zone: The Variance is approved based on the following findings of fact:

1. The Variance shall not extend a special privilege to the property owner in the City does not currently have sign regulations for the Residential Mixed Use zone and adherence to the requirements of a strictly residential zone is not appropriate for developments that provide a mixture of residential and commercial uses;
2. The Variance is not a use variance in that signage is permitted within residential zones;
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that the proposed signage is consistent with a catalyst project in and area that is anticipated to transition from an industrial area to a transit oriented mixed use area; and
4. The Variance is in harmony with the general purpose and intent of the Sign Ordinance which is to eliminate potential hazards to motorist and pedestrians, encourage signs that are harmonious to buildings and sites they occupy; eliminate excessive signs and improve the appearance of the City. Furthermore, the signage is consistent with the General Plan and the University/Transit Village Plan to promote pedestrian activity and transit ridership, since additional signs may be permitted when tenant access is from the street.

#### CONDITIONS OF APPROVAL

C/F. The Special Permit to occupy more than 50 percent of the gross square footage for non-residential development in the 65th Street Transit Village Plan and the Plan Review of the construction of a 42,550 square foot mixed use project within the 65th Street Transit Village Plan, on 2.37 acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone, are hereby approved subject to the following conditions of approval:

**Planning**

- C/F1. The applicant shall obtain all necessary building permits.
- C/F2. The applicant shall comply with the Mitigation Monitoring Plan on file for the project.
- C/F3. Prior to issuance of building permits, the Planning Director shall review the details, colors and materials of Buildings A and B to insure quality design and materials are utilized and that windows are provided on the street level as a visual link between business and pedestrians.
- C/F4. The project shall be constructed substantially in conformance with the attached exhibits. The Planning Director shall have the authority to allow modifications to insure that the quality and design of the buildings is maintained.
- C/F5. The walls of the trash enclosure structure(s) shall be constructed of solid masonry material and be compatible with the exterior surface finished of the building structures.
- C/F6. The trash enclosure facility shall be designed to allow walk-in access by janitors without having to open the main enclosure gates.
- C/F7. The trash enclosure facility shall be screened with landscaping.
- C/F8. 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. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement which incorporates the 10% landscaping for the plaza area are provided.
- C/F9. In order to provide adequate surveillance opportunities in view corridors, plants and shrubs are to be maintained at maximum height of thirty inches (30"); the lowest tree branch height shall be at least six feet (6').
- C/F10. Decorative planting shall be maintained so as not to obstruct or diminish lighting levels throughout the project.

**Public Works**

- C/F11. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the city code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement

not specifically noted in these conditions shall be designed and constructed to City standards.

- C/F12. All site driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works. No round corners are allowed where driveways are located.
- C/F13. The minimum throat distance for all site driveways shall be 100' (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc).
- C/F14. 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 Public Works.
- C/F15. The site plan shall conform to A.D.A. requirements in all respects.
- C/F16. Remove and reconstruct any deteriorated or non-ADA compliant handicapped ramps per City Code and Standards and to the satisfaction of the Department of Public Works. The affected handicapped ramp is:
- a. The Northeast corner of the site at the intersection of Folsom Boulevard and 65th Street.
- C/F17. The applicant shall dedicate sufficient right-of-way, at no cost to the city, for future improvements along Folsom Boulevard to the satisfaction of the Department of Public Works. The required right-of-way will be based on future improvements required at the 65th Street/Folsom Boulevard intersection, as defined in the Draft and Final EIRs for the 65th Street/University Transit Village Plan. Dedication shall be per the plan kept on file with the Development Services Division. Compensation for the dedication of the required right-of-way may be included in a future financing plan to be formed for the 65th Street/University Transit Village Plan area. The applicant may be required to enter into an agreement that addresses the future dedication.
- C/F18. The applicant shall dedicate sufficient right-of-way, at no cost to the city, for future improvements along 65th Street, to the satisfaction of the Department of Public Works. The required right-of-way will be based on future improvements required at the 65th Street/S Street intersection, as defined in the Draft and Final EIRs for the 65th Street/University Transit Village Plan. Dedication shall be per the plan kept on file with the

Development Services Division. Compensation for the dedication of the required right-of-way may be included in a future financing plan to be formed for the 65th Street/University Transit Village Plan area. The applicant may be required to enter into an agreement that addresses the future dedication.

C/F19. In accordance with the 65th Street Transit Village Plan which encourages shared access, the applicant shall dedicate (by separate instrument) a private reciprocal ingress/egress and maneuvering easement to the adjacent property at the Folsom Boulevard driveway. Said easement shall be 35 feet wide and 150 feet in length to the satisfaction of the Department of Public Works.

C/F20. In accordance with the 65th Street Transit Village Plan which encourages shared access, the applicant shall dedicate (by separate instrument) a private reciprocal ingress/egress and maneuvering easement to the adjacent property at the 65th Street driveway. Said easement shall be 35 feet wide and 100 feet in length to the satisfaction of the Department of Public Works.

#### **Fire**

C/F21. Fire apparatus access. Plans for fire department access roads shall be submitted to the fire department for review and shall be approved prior to the start of construction. CFC 901.2.2.1

C/F22. Fire hydrant systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and shall be approved prior to start of construction. CFC 901.2.2.2

C/F23. Timing and Installation: 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 of the project. CFC 901.3

C/F24. Fire-protection equipment and fire hydrants. Fire-protection equipment and fire hydrants shall be clearly identified in an approved manner to prevent obstruction by parking and other obstructions. When required by the chief, hydrants locations shall be identified by the installation of reflective markers. CFC 901.4.3

C/F25. Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. CFC 902.2.2.1

C/F26. Surface: Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a

- roadbed consisting of material unaffected by the introduction of water based upon fireflow or rain based on 25 year storm and a surface consisting of a minimum of a single layer of asphalt. CFC 902.2.2.2
- C/F27. Turning radius. All turning radius for fire access shall be designed as 35' inside and 55' outside. CFC 902.2.2.3
- C/F28. Dead Ends: Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved provisions for the turning around of fire engines. CFC 902.2.2.4
- C/F29. Key Boxes: When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, or where the building is served by a fire alarm system which is monitored by a central station, the chief is authorized to require approved key switches, key boxes or padlocks to be installed in approved accessible locations or areas in order to permit immediate fire department access. CFC 902.4
- C/F30. Gates and barriers: Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus access roadways. CFC 902.2.4.3
- C/F31. Fire service: The fire sprinkler system in each building shall be supplied by its own main. CFC 903.1.1
- C/F32. Required Water Supply for Fire Protection: An approved water supply capable of supplying the required fire flow for the protection shall be provided to all premises upon which facilities, buildings or portion of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief. CFC 903.2. Note: contact the Department of Utilities at 264-5371 for flow test.
- C/F33. Type of water supply: Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. CFC 903.3
- C/F34. Required installations: The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or the site of the premises or both to be protected as required and approve by the chief. CFC 903.4.2 See also Appendix III-B, Section 5, Distribution of Fire Hydrants.

C/F35. Shall be reviewed by fire single gate 20' clear width, dual gate 16' each.

#### **Parks**

C/F36. The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project to an existing parks maintenance district prior to the issuance of any building permit. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the costs will be spread based upon the hearing report, which specifies the tax rate and method of apportionment.

#### **Utilities**

C/F37. This project is served by the Combined Sewer System (CSS). Without mitigation the project will have an impact on the CSS. Therefore, impacts from the project to the CSS must be mitigated to the satisfaction of the Department of Utilities. If mitigation of impacts is not practical, the developer may enter into an impact fee agreement with the City or pay a fee based upon the projects estimated sanitary sewer flows prior to the issuance of a building permit. The fee will be used for improvements to the CSS.

C/F38. An on-site surface drainage system is required and shall be connected to 66-inch storm drainage main in 65th Street to the satisfaction of the Department of Utilities. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).

C/F39. The 65th Street Transit Village Needs Assessment Study is being conducted to determine the utility facilities needed to serve the project and other development in the 65th Street Transit/ University Village Center. In consideration of being allowed to proceed with development prior to the completion of the study and identification of the needed utility improvements as well as establishment of the utility installation and construction program and associated financing mechanism, the applicant shall enter into an agreement with the City consenting in advance to the applicant's payment of its fair share of the cost of designing and constructing the facilities and waiving applicant's right to protest the City's establishment or imposition of any fee, tax, assessment, dedication, reservation, or other exaction, or assessment district or other financing mechanism to collect applicant's fair share of the costs, prior to issuance of building permit. The agreement shall be binding on applicant and applicant's successors in interest, shall require the holders of any lien or other security interest in the applicant's property to consent to the subordination of their interests to the terms of the agreement,

and shall contain such other provisions as may be required by City to accomplish the objective and intent of this condition.

- C/F40. 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. At a minimum, one-foot off-site contours within 100' (400') of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- C/F41. Finished lot pad elevations shall be a minimum of 1.00 foot above the 100-year HGL as determined by the "Basin 31 and 113 Drainage Master Plan Update", May 1999, to the satisfaction of the Department of Utilities.
- C/F42. 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](http://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.
- C/F43. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require 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.
- C/F44. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is not served by a regional water quality control facility and is greater than 1 acre, both source controls and on-site treatment control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations

and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. On-site treatment control measures are also required and may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include the source controls and on-site treatment control measures selected for the site. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures", dated January 2000, for appropriate source control measures and recommended on-site control measures.

- E. The Variance to increase the number of signs and sign area in a residential zone is hereby approved subject to the following conditions of approval:
- E1. A maximum of 70% of the building face may be covered by signage.
  - E2. One tenant map directory (4'x4'), up to six feet in height, and located within five feet of the parking lot, is permitted. The design of the above tenant map directory shall be reviewed and approved by Planning staff prior to issuance of building permits.
  - E3. One attached sign for each tenant occupancy. The sign shall not exceed a total of one square foot of sign area for each front foot of building occupancy. Tenants who provide access from the street may have a total of two attached signs, for a total of one square foot of sign area for each front foot of building occupancy at the front and rear of the building.
  - E4. One six-foot high monument sign, totaling 24 square feet in area is permitted.
  - E5. The sign copy for the attached "F-65" Center Identification sign shall not be greater than 67 square feet in area, as shown on Exhibit 1F.
  - E6. The freestanding "F-65" Center Identification sign shall not be higher than 55 feet in height.
  - E7. The sign copy for the freestanding "F-65" Center Identification sign shall not be greater than 123 square feet in area, as shown on Exhibit 1F.
  - E8. Prior to issuance of building permits, a sign program shall be submitted for review and approval of the Planning Director.

**Advisory Notes:**

Utilities

- A. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMS) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.

- B. Multiple fire services are allowed per parcel and may be required.
- C. 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.

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CHAIRPERSON

ATTEST:

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SECRETARY TO CITY PLANNING COMMISSION

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DATE  
(P03-087)

Recording  
Not  
Required

-  
-  
-  
-

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MITIGATION MONITORING PLAN

FOR  
Transit Village Center (P03-087)

Type of Environmental Document:  
**Negative Declaration**

Prepared By:  
**City of Sacramento Environmental Services**

Date:  
**January 8, 2004**

Adopted By:  
**City of Sacramento, Planning Commission**

Date:

\_\_\_\_\_  
Attest:

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_  
**Chair**

**TRANSIT VILLAGE CENTER PROJECT (P03-087)  
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Planning and Building Department, Environmental Planning Services, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name / File Number:** Transit Village Center Project (P03-087)  
**Owner/Developer- Name:** Fulcrum Capital, Mr. William Chizmar  
**Address:** 7750 College Town Drive, Suite 350  
Sacramento, CA 95826

**Project Location / Legal Description of Property (if recorded):**  
Southwest corner of Folsom Boulevard and 65<sup>th</sup> Street in the East Sacramento Community Plan area – APN: 008-0010-003

**Project Description:**

The applicant proposes to construct a retail and residential mixed-use project on 2.37 acres at the southwest intersection of 65<sup>th</sup> Street and Folsom Boulevard in the adopted 65<sup>th</sup> Street Transit Village Plan area. The proposal requests entitlements to construct two buildings, together comprising a total of 42,550 square feet with approximately 24,500 square feet of retail uses, 8,000 square feet of restaurant uses and the remaining square footage for 8 units of residential use. The entitlements include:

- **Special Permit** to occupy more than 50% of the gross square footage for non-residential development in the 65<sup>th</sup> Street Transit Village Plan on 2.37 acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;
- **Variance** to increase the number of signs and sign area in a residential zone;
- **Special Permit** to increase the amount of parking allowed for non-residential uses in the 65<sup>th</sup> Street Transit Village Plan on 2.37 acres in the Residential Mixed Use Transit Overlay (RMX-TO) zone;
- **Plan Review** of the construction of a 42,550 square foot mixed use project within the 65<sup>th</sup> Street Transit Village Plan.

**SECTION 2: GENERAL INFORMATION**

The Plan includes mitigation for air quality, noise, cultural resources, geology, hazardous materials, drainage, and Combined Sewer System. 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 verbatim 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.

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Exhibit 1B  
Site Plan

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Exhibit 1C  
Site Plan with Existing Conditions

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Exhibit 1D  
Landscape Plan

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Exhibit 1E  
Elevations – Building A

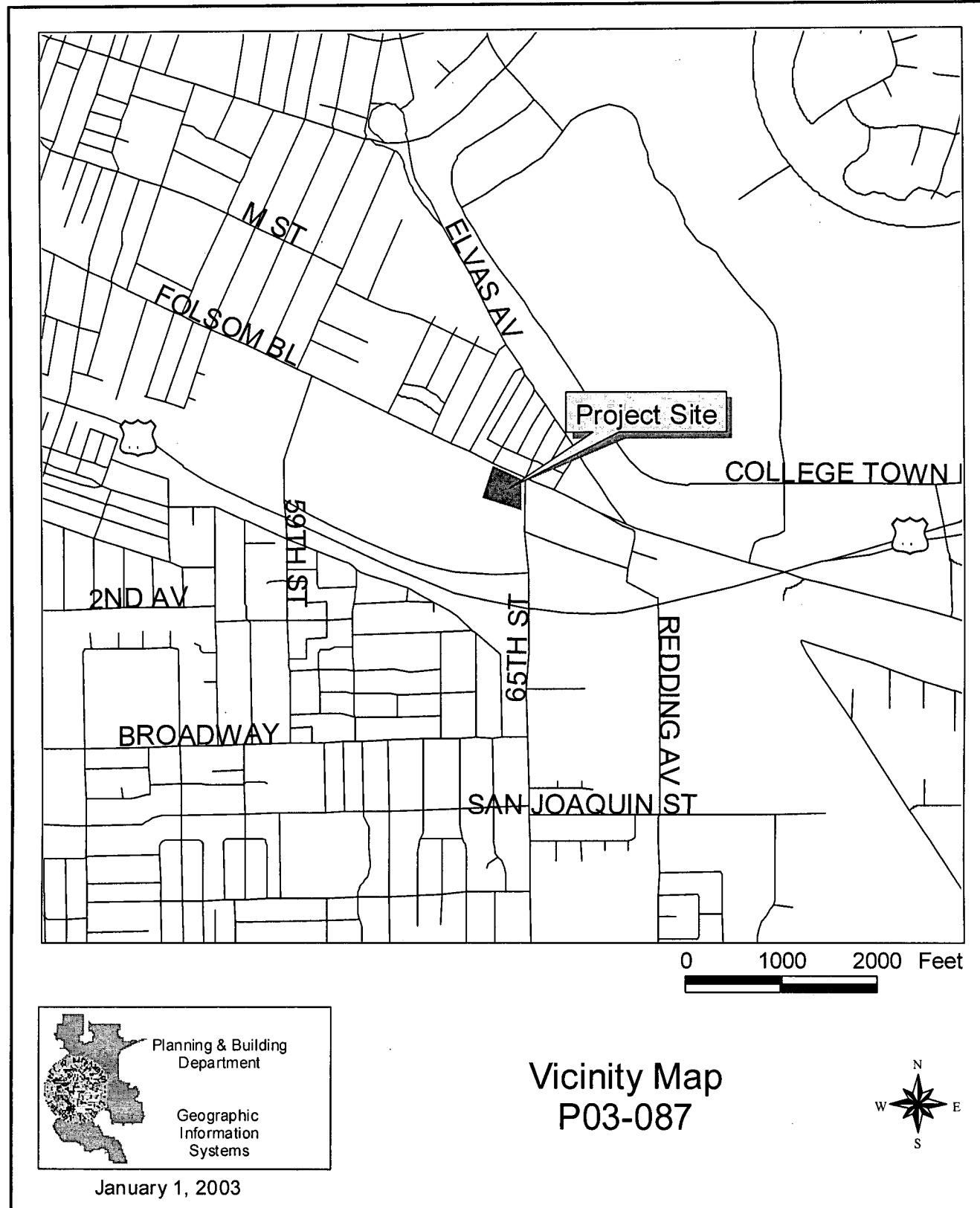
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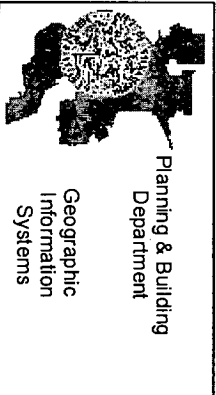
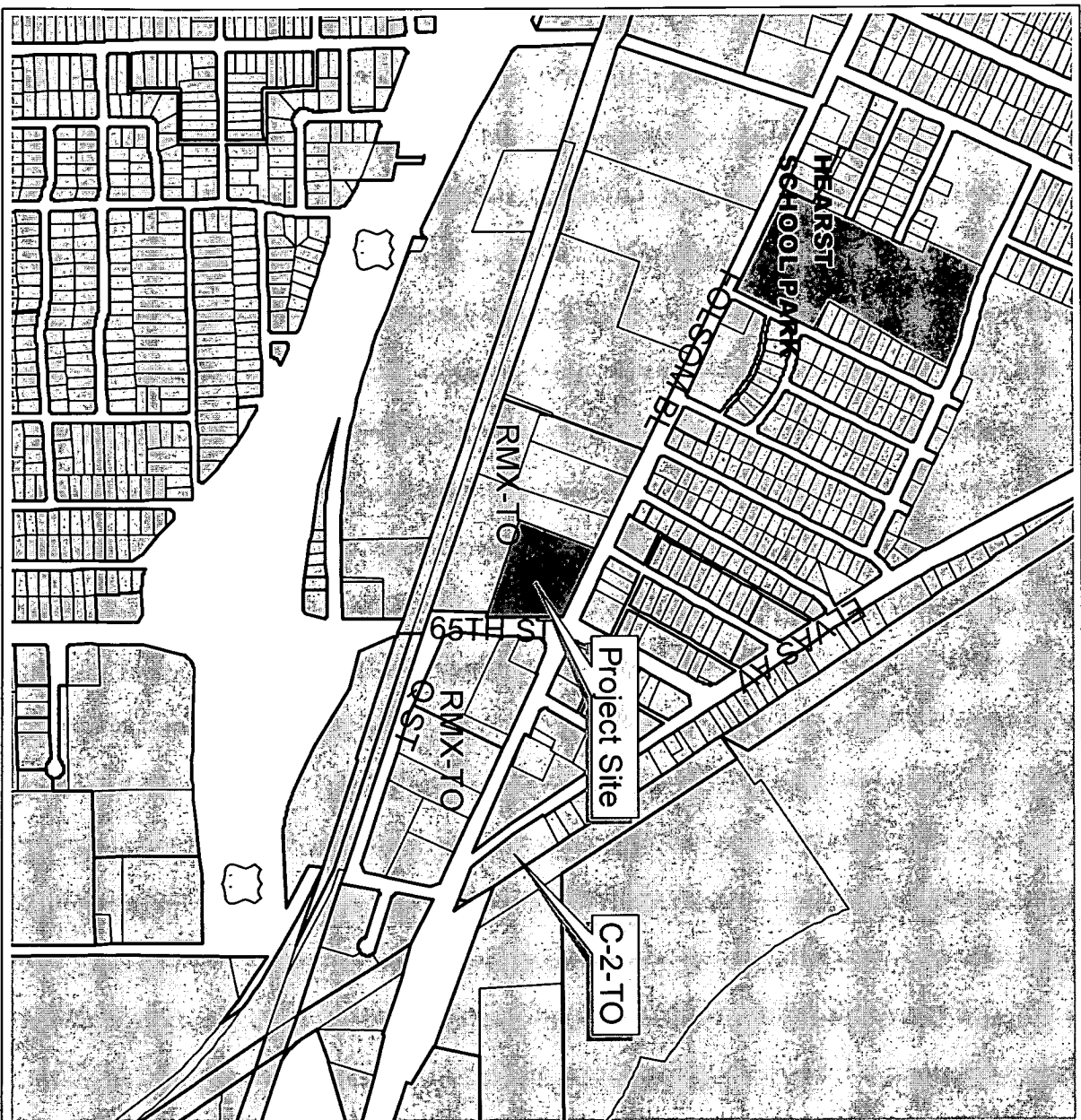
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Exhibit 1F  
Elevations – Building B

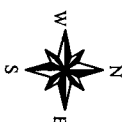
Attachment 2  
Vicinity Map



Attachment 3  
Land Use & Zoning Map



Land Use & Zoning  
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Attachment 4  
Solid Waste Comments

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Attachment 5  
Regional Transit Comments

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Attachment 6  
SMAQMD Comments

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Attachment 7  
Statement of Intent

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Attachment 8  
Statement of Design

## Design Intent

The F-65 mixed-use project is the first step in the realization of the 65th Street Transit Village Plan (the "Plan"). The Plan envisions the transformation of the existing industrial area around the intersection of 65th Street and Folsom Boulevard into a mixed used neighborhood connecting the CSUS campus and the 65th Street light rail station.

The area is currently comprised of older industrial and commercial buildings and undeveloped or under-utilized properties. The F-65 site is a vacant lot at the southwest corner of 65th Street and Folsom Boulevard formerly used as a Caltrans maintenance shed. Immediately surrounding uses include a utility substation with high voltage transformers, a bus transit yard, a gas station and a social service facility. There is no existing residential or mixed-use development within the Plan area.

The total project comprises approximately 43,000 square feet of development in two buildings. Building A is a 22,000 square foot single-store structure with its principal façade along Folsom Boulevard. Building B is a 21,000 square-foot two-story building, with ground floor retail uses and second-story residential lofts. Building B will be constructed along the 65th Street edge of the property. Together, the buildings establish a strong street edge with pedestrian and bicycle connections leading to a central plaza at the intersection of 65th Street and Folsom Boulevard. All of the parking spaces are located behind the building, shielded from view. The orientation of the buildings and the location of street access points have been designed to accommodate significant residential development on the adjoining site owned by the Clevinger group.

The residential component of the project is designed to attract "urban pioneers", individuals willing to move into a transitional neighborhood and participate in its transformation. These pioneers place high value on non-traditional housing choices, preferring options that are unique or cutting-edge to those that are traditional and familiar. Given the proximity to the CSUS, the target audience is likely to be affiliated with the campus, as students, faculty or staff members. Such individuals may be married or single, but are unlikely to have children.

In many other cities, lofts have served as a transitional housing type with strong appeal to urban pioneers. While the definition of "loft" has been watered-down by real estate agents seeking to capitalize on their popularity, the essential elements of a loft include: high volume space, large windows, minimally divided interior spaces, and exposed structural elements or other attributes of industrial character. In the case of F-65, each of the eight loft units will have ceiling heights in excess of 14 feet, large windows, an interior mezzanine space that can function as a separate bedroom, and access to outside balcony or deck space. Interior finishes will include polished concrete floors, exposed spiral ductwork and a visible ceiling truss system.

The retail component of F-65 is designed to complement the loft-character of the project.

Retail tenants will be encouraged to incorporate the exposed metal roof system and ductwork into their interior store design, creating a sophisticated urban retail presentation. While the principal store entrances will be located on interior elevations of the project, special care has been taken to animate the street façade. The orientation of the plaza toward the main intersection will display an active café-culture and invite passers-by to stop and enjoy the project.

Exterior building materials will be chosen to reinforce the loft character of the project. Principal materials include: masonry block, exterior metal skin in a variety of corrugated profiles and colors, large areas of glazing, exposed structural beams and plaster. These elements have been chosen for their honesty, durability, and loft connotations. Accent materials will include fabric awnings, wood trim, and site furniture. Exterior landscaping will soften the edge between street and building and create a buffer between plaza seating and passing traffic.

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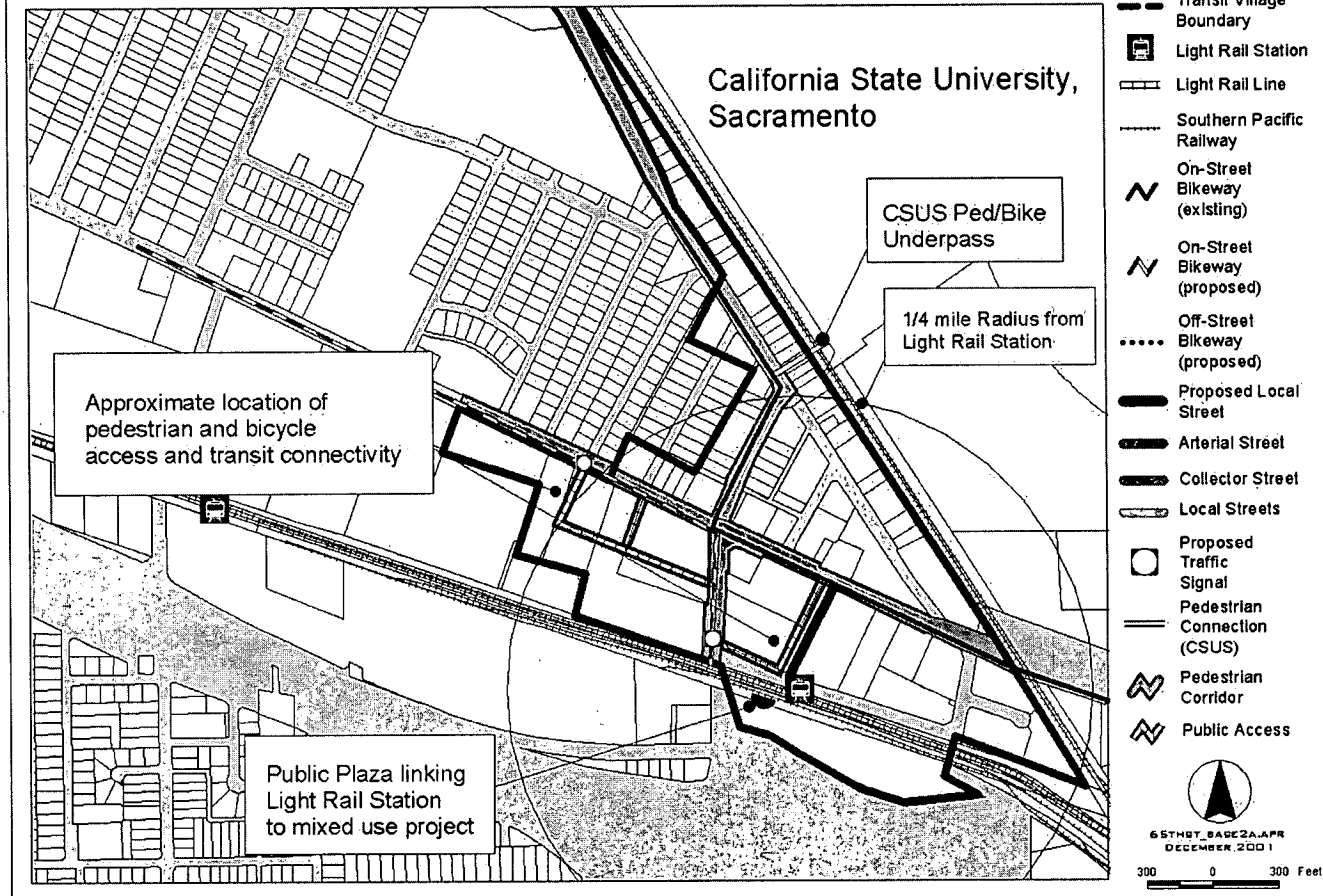
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Attachment 9  
IR02-170 Site Plan

Attachment 10  
Transit Village Circulation & Pedestrian Plan

# Circulation and Pedestrian Access Plan



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Attachment 11  
Applicant's Proposed Signage for Building A