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APPROVED
BY THE CITY COUNCIL

JAN 16 1990

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

January 2, 1990

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: 1. Environmental Determination - Negative Declaration

2. Tentative Map (P89-320) (FT) (D-1) (APN-001-0020-016)

LOCATION: 601 North Seventh Street

SUMMARY

This is a request to subdivide one developed lot totaling 13± acres into two lots of 2.9 and 10.1± acres. Parcel 1 is proposed for a 67,500 sq. ft. building. Parcel 2 will contain the 159,000 sq. ft. building formerly used by Richards Cannery and recently approved for office use (P-87-459). Staff recommend approval of the request subject to conditions.

BACKGROUND

Land divisions that are not accompanied by a request requiring Planning Commission action can be reviewed by staff and transmitted directly to the City Council for consideration.

Surrounding Land Uses and Zoning are as follows:

North:	Industrial; M-2
South:	Industrial; M-2
East:	Railroad, Office; M-2
West:	Industrial; M-2

The subject 13± acre site is proposed to be divided to allow construction of a new 67,500 square foot office building and 174 parking spaces on a 2.9± acre portion. Parcel 2 will contain the existing 159,000 sq. ft. warehouse building converted to office use and 750 parking spaces. The special permit for 100% office use in the Heavy Industrial (M-2) Zone was approved on January 14, 1988 by the City Planning Commission. Conditions of approval included preparation of a Transportation Management Plan for the entire site.

CONTINUED
FROM 01-02-90
TO 01-16-90 @ applicants request.

FINANCIAL DATA

Not applicable.

POLICY MATTER

Not applicable.

MBE/WBE

Not applicable.

RECOMMENDATION

The Planning Staff, based upon comment by the Subdivision Review Committee, recommends that the City Council:

1. Ratify the Negative Declaration (See attachment A)

2. Approve the Tentative Map by adopting the attached resolution and Findings of Fact.

Respectfully submitted,

for MICHAEL M. DAVIS,
Director of Planning and Development

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

Contact Person:
Art Gee, Principal Planner
449-5604

District No. 1
January 2, 1990

MMD:AG:pc
P89-320.cc

Attachments

RESOLUTION NO. 90-052

APPROVED
BY THE CITY COUNCIL

JAN 16 1990

OFFICE OF THE
CITY CLERK

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION ADOPTING FINDINGS OF FACT AND TENTATIVE MAP FOR PROPERTY LOCATED AT 601 NORTH SEVENTH STREET

(P89-320) (APN: 001-0020-016)

WHEREAS, the City Council on _____, held a public hearing on the request for approval of a tentative map for property located at 601 North Seventh Street;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained therein. (Refer to Attachment A)

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.

3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. City General Plan designate the subject site for industrial use.

4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.

5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

6. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the filing of the final map 1unless a different time for compliance is specifically noted:

   a. Show reciprocal ingress, egress, parking and drainage easements on final map.

   b. Notice: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.

   c. Pay off or segregate any existing assessments.

   d. Applicant shall sign an agreement with the City to participate in future assessment district proceedings.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

e. Existing gas service may conflict with proposed building on Parcel 1. relocation shall be at developer's expense. Show any easements.

f. Proposed property line shall be a minimum of 60 feet from the existing building if applicant seeks unlimited area status for building permits on the warehouse. Structures shall comply with the Uniform Building and Fire Codes for occupancy and distance from property lines.

g. Applicant shall comply with conditions of approval for the Special Permit for office use, P87-459; on file at the City Planning Department.

h. Applicant/owner shall comply with mitigation measures listed in the Negative Declaration for P89-320 on file at the City Planning Department to the satisfaction of the Environmental Review Coordinator. A note referencing mitigation measures shall be placed on the face of the final map and in the deeds to all new lots.

i. Note:

1. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989*).

2. The applicant shall not comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measure could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City building permit.

   * It is anticipated that residential projects located in the Sacramento River Levee Flood Failure area will not receive final project building permits until June, 1990. In the event the Land Use Policy is adopted (anticipated for December, 1989) the growth limitations of the policy will further prevent issuance of final project building permits until June, 1990 (or when decision makers determine it is appropriate to allow building to proceed.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

3. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding."

However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be reevaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to reissuance of mitigation measures to address the identified impact.

_____
MAYOR

ATTEST:

_____
CITY CLERK

P89-320

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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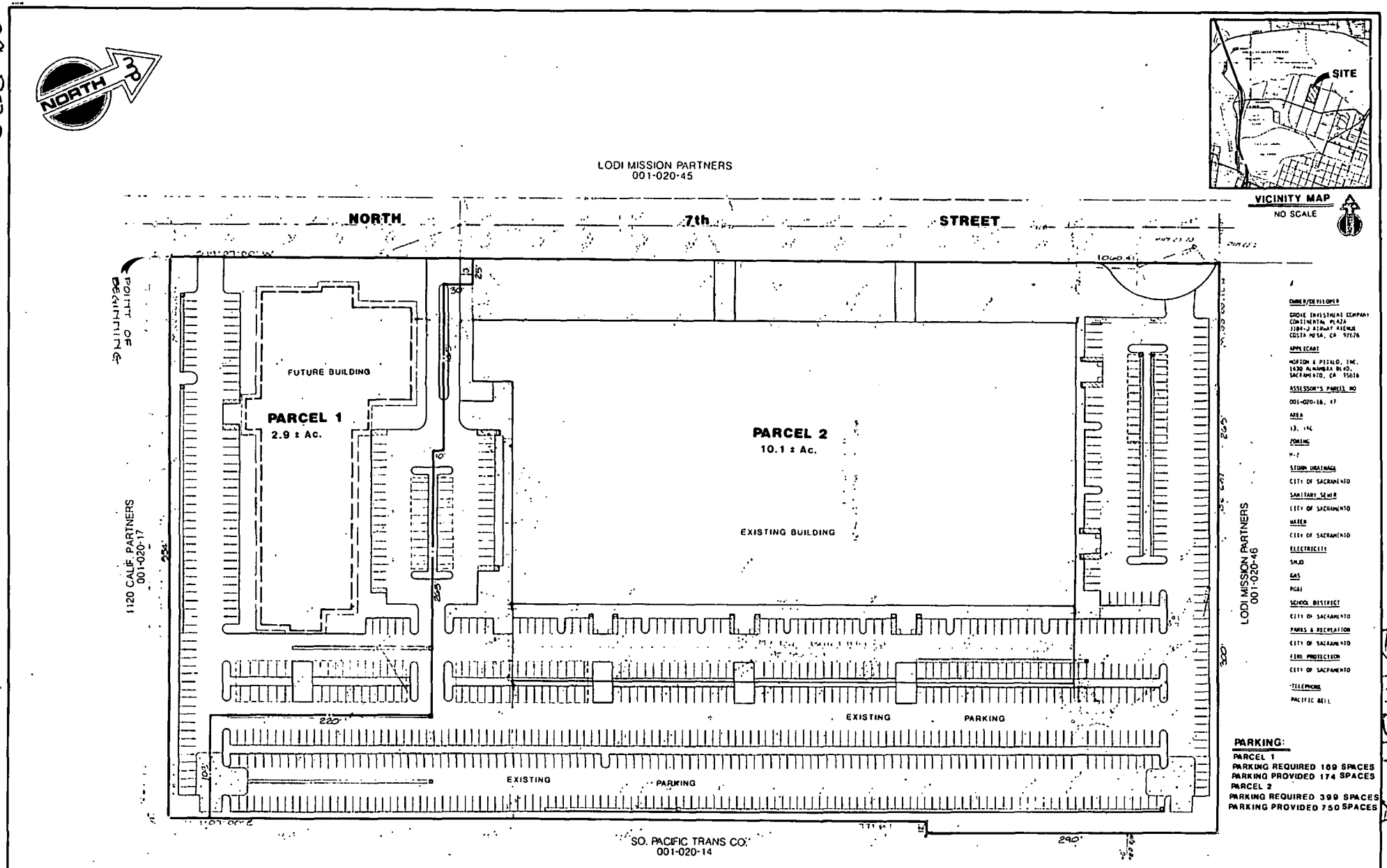

EXHIBIT A

REVISIONS							
NO.	DESCRIPTION	APPROVED	DATE	DISK NO.	BENCH MARK	COMPUTED	
				SCALE	ELEV.	DESIGNED	
				HORIZ. 1"=40'		DRAWN MSC	
				VERT. 1"=		PROJ. ENGR.	

MORTON & PITALO, INC.
CIVIL ENGINEERING · PLANNING · SURVEYING

TENTATIVE PARCEL MAP
GROVE INVESTMENT CO.
CITY OF SACRAMENTO

DATE AUG. 1989
SHEET 1 OF 1

FILE NO. P89026

EXHIBIT B

P 89-320

LEGAL DESCRIPTION

PROPERTY DESCRIPTION FOR APN 001-0020-016

BEG. AT A PT. ON THE E. LINE OF 7TH ST. FROM WHICH AN IRON PIN MONUMENT AT THE INTERSEC. OF C/L OF 7TH ST. AND N. B ST. BEARS S.19%07' W. 1,745.23 FT. ALONG E. LINE OF 7TH. ST. AND N. 71% 00'W. 40 FT. TH. FR. SD P.O.B. S 71%00' E. 553.83 FT TO A PT ON WLY BDY LINE OF THAT CERTAIN 3.78 AC TR OF LAND TH N.19%07'E. 771.87 FT ALG. WLY BDY LINE SD 3.78 AC TR, TH. CURVING TO THE E ON AN ARC OF 287.94 FT RADIUS-SD ARC BEING SUBTENDED BY A CHORD BEARING N.25%56'20"W 407.62 FT TH N.71%00'W 265.30 FT THS 19% 07' W 1,060.41 FT ALG E. LINE 7TH ST. TO P.O.B.CONTG 13.07 AC M/L.

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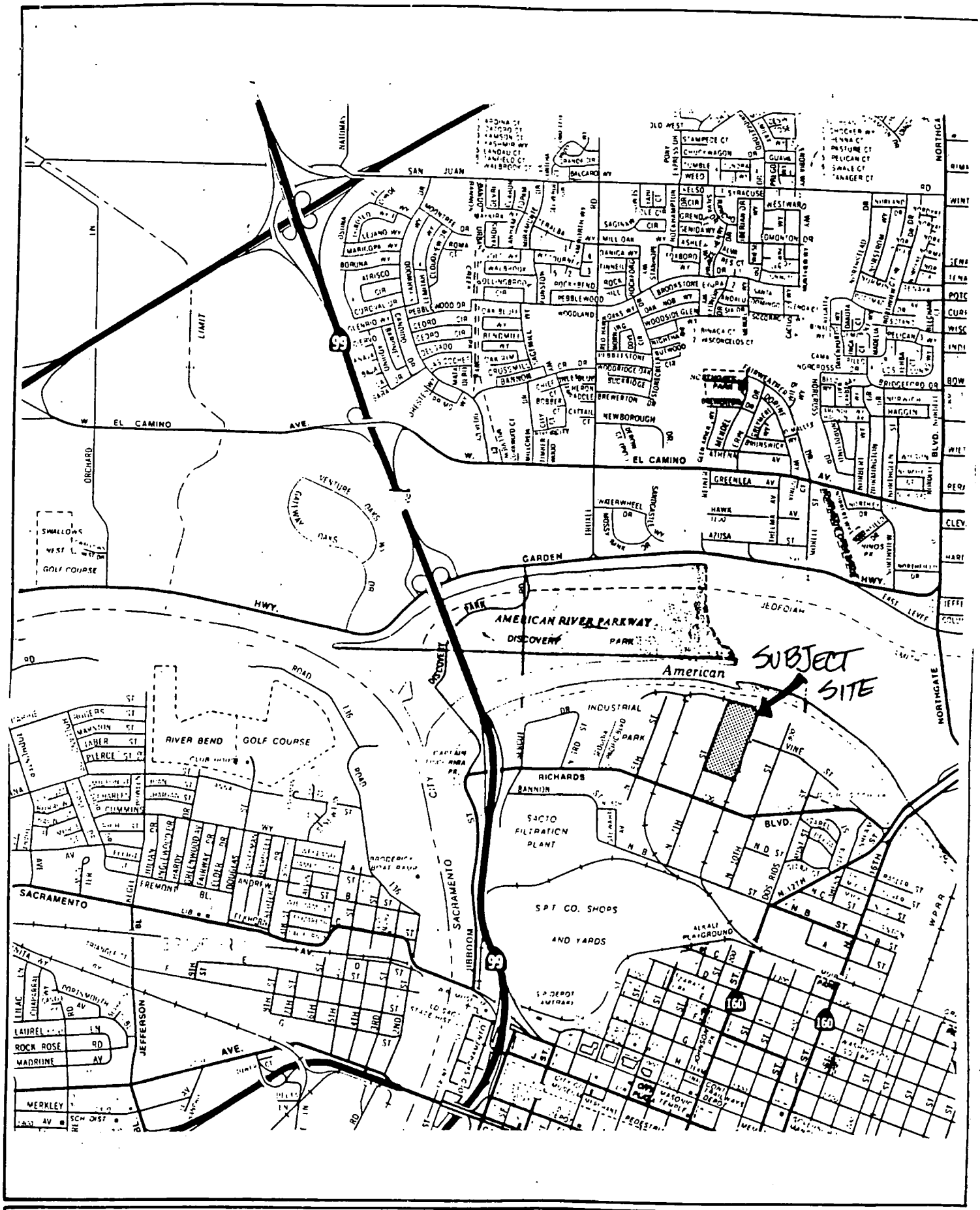

VICINITY MAP

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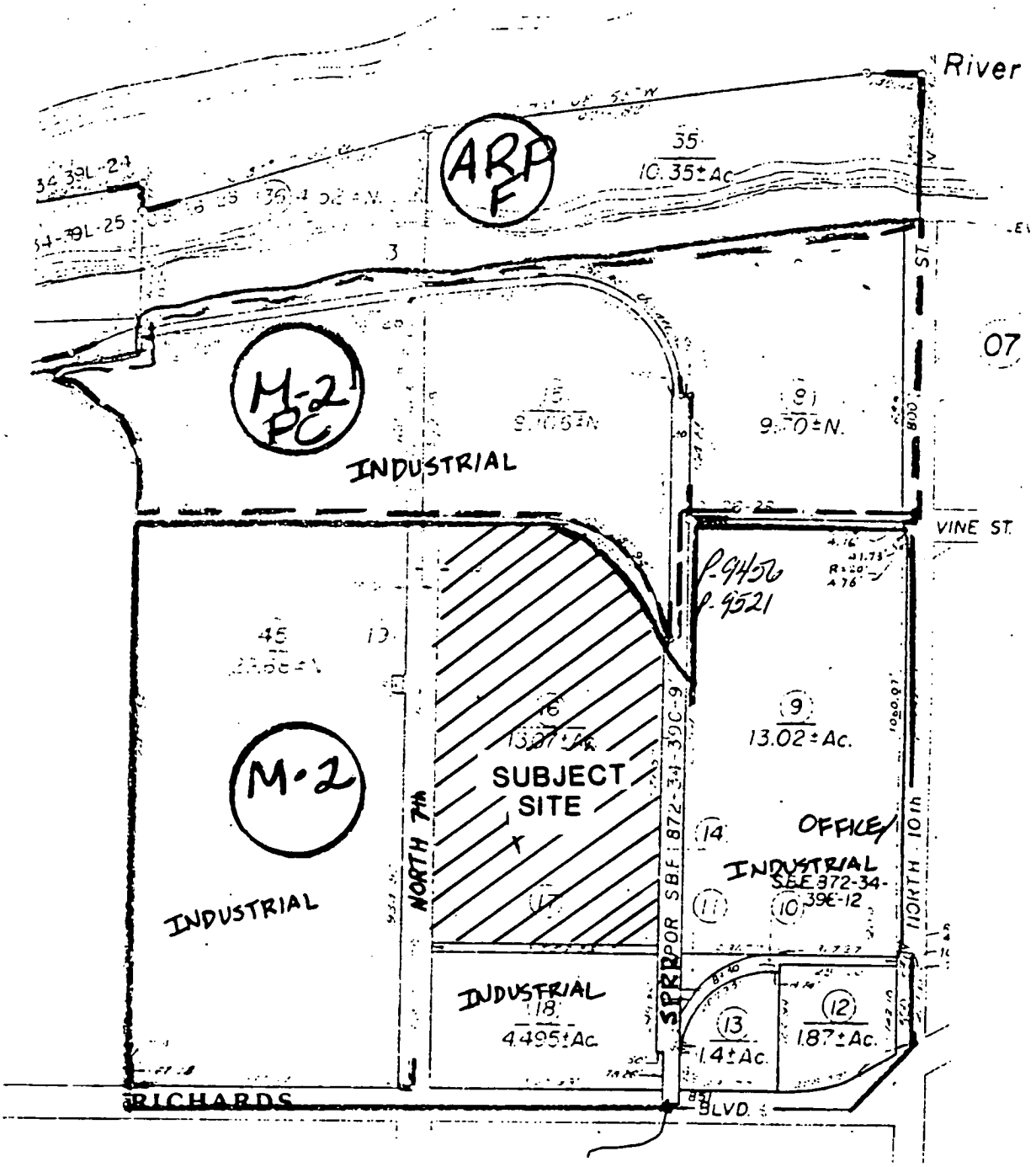

LAND USE & ZONING MAP

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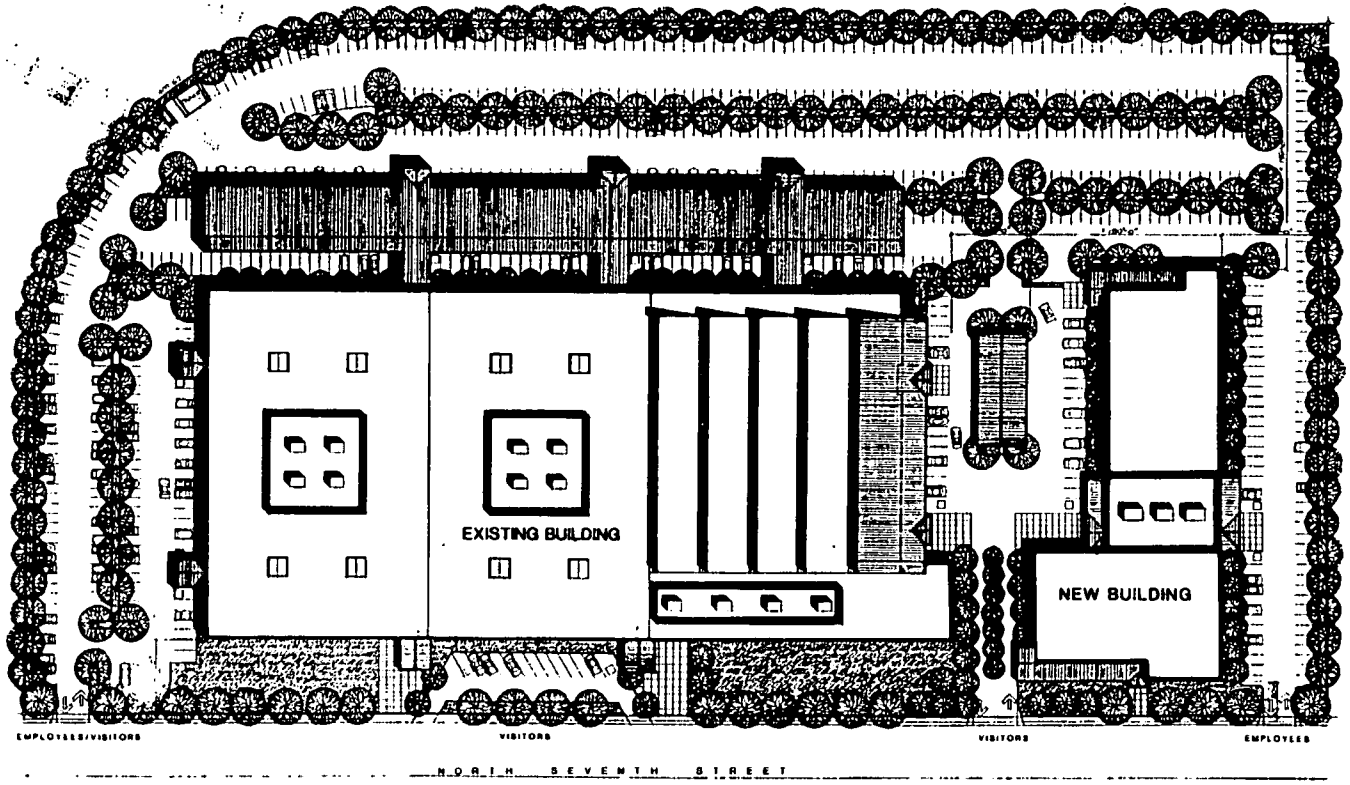

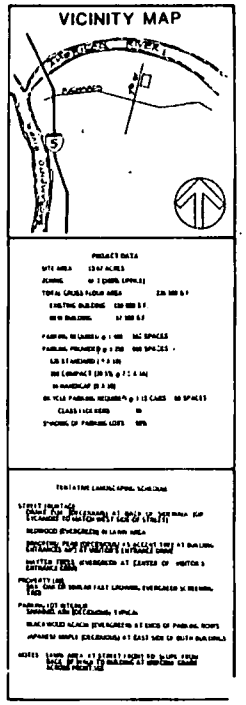

CONTINENTAL PLAZA

1 SITE PLAN

30 OCTOBER 87

SCALE 1" 40'-0"

CARISSIMI-ROHRER-HARPER ASSOCIATES

SITE PLAN

NEGATIVE DECLARATION

The Environmental Coordinator has determined that the project as proposed will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070 (B) 1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects would occur:

A. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989*).

B. The applicant shall comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measure could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City building permit.

   *It is anticipated that residential projects located in the Sacramento River Levee Flood Failure area will not receive final project building permits until June, 1990. In the event the Land Use Policy is adopted (anticipated for December, 1989) the growth limitations of the policy will further prevent issuance of final project building permits until June, 1990 (or when decision makers determine it is appropriate to allow building to proceed.

C. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding."

   However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be reevaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to re-issuance of mitigation measures to address the identified impact.

Non-compliance with, or deletion of any of the above mitigation measures by any party will require the project to be reprocessed for additional environmental review. If this review determines that there is the possibility for significant adverse environmental impact due to the development of the project, additional mitigation measures may be required, or the applicant may be requested to prepare an Environmental Impact Report if identified impacts cannot be reduced to less than a significant level through mitigation.

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ATTACHMENT A

DISCUSSION OF INITIAL STUDY
PARCEL MAP AT NORTH 7th AND RICHARDS BLVD.
P89-320

Project Description

The firm of Morton & Pitalo, Inc., has submitted a request to split 12.8± partially developed acres into two parcels. The site is designated Heavy Commercial/Warehouse in the 1986-2006 General Plan. It is zone Heavy Commercial (M-2). The site is located approximately 200 feet north of the intersection of Richards Blvd. and North 7th Street. The site is currently developed with an office building approximately 160,000 square feet in size.

The necessary entitlement for the project is a tentative parcel map.

Environmental Effects

The site is the location of the old Continental Can Company which was vacated some years ago. On January 14, 1988, the Planning Commission approved a Special Permit to convert the old factory building to 100% office space and add a second 69,00± office structure (P87-459). Environmental impacts of the project, including traffic related impacts, were reviewed under the previous application. This Negative Declaration incorporates by reference the above listed document. For a more in-depth discussion, please refer to that document which is available for viewing at the Planning Division, 1231 I Street, Room 300, Sacramento. The proposed lot split will permit individual ownership of each parcel and is, therefore, for finance purposes. The flood issue was not addressed at that time because it was not known. The Environmental Services Manager is filing the Negative Declaration with discussion of the flooding related issues only.

3. Water:

3.1 **EXPOSURE OF PEOPLE OR PROPERTY TO WATER RELATED HAZARDS SUCH AS FLOODING**

Status of Flood Protection in the City of Sacramento

New preliminary Flood Insurance Rate Maps (FIRM) dated May 1, 1989, have been issued based on recent studies conducted by the U.S. Army Corps of Engineers (USCOE) and the Federal Emergency Management Agency (FEMA) which indicate a need for increased flood control measures in order to provide 100-year flood protection for all areas within the City of Sacramento.

In response to these studies, Congress has adopted special legislation to prevent FEMA from issuing new base flood elevations for property located in the newly identified flood

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plain that would ultimately result in new and higher flood insurance rates. The special legislation further authorizes the City to develop appropriate land use policies for the new floodplain. In this regard, Congress has determined that some new development may proceed in these areas.

In light of the special legislation, FEMA has designated the newly identified flood areas as A99 zone. The A99 zone identifies "areas of special flood hazard, where adequate progress has been made on a flood control system such as dikes, dams, and levees, to consider it complete for insurance rating purposes."

FUTURE FLOOD PROTECTION EFFORTS

The City is working with the USCOE and other responsible agencies to develop an accelerated program to provide future flood protection. Three measures have been identified to accomplish 100 year flood protection throughout the City: 1) levee stabilization, 2) increased upstream flood storage on the American River, and 3) levee upgrades (raising the height of levees). Some combination of all three measures will be needed to provide 100 year flood protection for the entire City.

Levee stabilization work will be the first step towards increased flood protection. Levee repairs along the Sacramento River have been targeted as the highest priority. Funds are expected to be appropriated by Congress in order to award levee stabilization contracts by July 1, 1990. The USCOE anticipates completion of needed levee stabilization work by 1992.

While levee stabilization work is in progress, efforts will be made to obtain additional upstream storage on the American River by operating Folsom Dam in a manner which will increase available flood storage capacity. This capacity, combined with levee stabilization, could provide 100 year flood protection in all areas of the City except Natomas and portions of the basins surrounding Dry Creek, Morrison Creek and Arcade Creek, which are expected to have approximately 70 year protection. Attaining 100 year protection for the entire City will require levee upgrades in many areas of the City and maintaining increased flood storage capacity in Folsom Dam. According to current USCOE information, this work is scheduled to be completed in early 1996.

LAND USE PLANNING POLICY WITHIN THE 100 YEAR FLOOD PLAIN

The City of Sacramento has taken steps towards implementing a land use planning policy for areas within the City now located within the 100 year floodplain.

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On April 27, 1989, the Sacramento Metropolitan Flood Protection Task Force recommended approval of a land use planning policy. The policy identifies interim growth guidelines within the 100 year floodplain areas of the City and County of Sacramento. The task force then submitted their recommendation to the City and County governing boards.

On June 7, 1989, the Sacramento City Council requested an Environmental Impact Report (EIR) on the Draft Land Use Planning Policy. The EIR is expected to be completed and approved by late December, 1989. The EIR will evaluate the impacts of the land use planning policy and may require specific measures to mitigate identified impacts to human health and safety and property damage.

RISK OF FLOODING IN THE PROPOSED PROJECT AREA

The proposed project is located within an area designated by FEMA as an A99 zone and determined by the USCOE to have less the 100 year flood protection.

Additional growth in the 100 year floodplain could expose people and property to flooding. In order to reduce this significant impact to a less than significant level, the Environmental Coordinator of the City of Sacramento has determined that the project may only proceed up to the building permit stage. A building permit will not be issued on the proposed project until the Land Use Planning Policy EIR is complete. If construction does not occur, there will be no additional exposure of people or property to flooding. In order to comply with this condition, the project applicant has agreed to the following mitigation measures:

A. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for December, 1989*).

B. The applicant shall comply with all applicable mitigation measures imposed by the Land Use Planning Policy EIR prior to final project approval. The applicant is aware that applicable mitigation measure could substantially alter the proposed project and require additional future environmental review prior to the issuance of a City building permit.

*It is anticipated that residential projects located in the Sacramento River Levee Flood Failure area will not receive final project building permits until June, 1990. In the event the Land Use Policy is adopted (anticipated for December, 1989) the growth limitations of the policy will further prevent issuance of final project building permits

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until June, 1990 (or when decision makers determine it is appropriate to allow building to proceed.

8. Land Use:

Consistency with Applicable Plans and Policies

The City of Sacramento General Plan identifies the following policy for flood protection:

Flood Hazards, Policy 1: Prohibit development of areas subject to unreasonable risk of flooding unless measures can be implemented to eliminate or reduce the risk of flooding.

The proposed project is located within an area designated by FEMA as an A99 zone and determined by the USCOE to have less than 100-year flood protection. The proposed project is therefore inconsistent with Policy 1 of the Flood Hazards Section of the City General Plan.

In conjunction with implementation of the City of Sacramento Land Use Planning Policy within the 100-year Floodplain, the City proposes to amend the General Plan to define "areas subject to unreasonable risk of flooding" in Policy 1 to exclude areas designated A99 Flood Hazard zone on the FIRM for the area. If approved, this measure would reduce the inconsistency with the City General Plan by amending the General Plan.

In order to reduce the significant impact of General Plan Policy inconsistency with the proposed project to a less than significant level, the project applicant has agreed to the following measure:

C. The City shall not approve the final project building permit until the General Plan is amended to exclude areas designated A99 Flood Hazard zone from areas considered "subject to unreasonable risk of flooding."

However, if the proposed flood policy and General Plan amendment are not approved the proposed project must be reevaluated prior to issuance of the final building permit to determine the level of significance of flood hazards associated with the project and to re-issuance of mitigation measures to address the identified impact.

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1/2/90

Mr. Art Gee
Principal Planner
City of Sacramento

Re: Continental Can Co. Site
Agenda Item No. 4.5

Dear Art,

We respectfully request a two-week continuance for our tentative parcel map P-89-328.

We apologize for the late notice, however our client can't proceed until we resolve further details.

Sincerely

Chuck Johnson
ACCEPT & PTALD THE