

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

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OCTOBER 28, 1993
ITEM # 6

P93-087 - DEPARTMENT OF JUSTICE/ ATTORNEY GENERAL'S OFFICE

- REQUEST:
- A. Environmental Impact Report (SCH# 93062058);
 - B. Mitigation Monitoring Plan;
 - C. Major Project Special Permit to develop a 17 story (256 foot high) 372,097 square foot office building with 587 parking spaces; and,
 - D. Lot Line Adjustment to merge four lots into one lot on 1.17 + vacant acres in the Central Business District-Special Planning District (C3-SPD) zone.

LOCATION: 1300 I Street
006-0054-007,008,016 and 019

Central City
Sacramento City Unified School District
Council District #1

APPLICANT/ OWNER:	OPUS Corporation, 9900 Bren E., Minnetonka, MN. 55343 Jeff Smith (916) 556-1940
PLANS BY:	Same as above
APPLICATION FILED:	May 5, 1993
STAFF CONTACT:	Donald C. Smith, 264-5381

SUMMARY/RECOMMENDATION:

The applicant proposes to construct a 17 story (256 foot high) 372,097 square foot office building with 587 parking spaces on a 1.17± acres in the Central Business District. In order to meet the applicant's objectives, the project requires a Major Project Special Permit and a Lot Line Merger as described above. **Staff recommends approval of the project.** This recommendation is based on a review and finding of consistency with the

policies regarding office uses contained in the General Plan, Central City Community Plan, Urban Design Plan and Central Business District - Special Planning District zoning.

PROJECT INFORMATION:

General Plan Designation:	Community/ Neighborhood Commercial and Offices
Central City Community Plan Designation:	Multi Use
Existing Land Use of Site:	Vacant/ Surface Parking
Existing Zoning of Site:	C3-SPD
Surrounding Land Use and Zoning:	
North:	Office, Surface Parking; C-2
South:	Office, C3-SPD
East:	Retail, Surface Parking; C3-SPD
West:	City Parking Structure; C3-SPD

Setbacks:	Required	Provided
I Street:	10'	15'
13th and 14th Streets:	0'	5'
Alley:	2'	13'

Property Dimensions:	160' x 320'
Property Area:	1.933 \pm gross acres 1.179 \pm net acres
Square Footage of Building:	583,084 \pm gross sq.ft. 372,097 \pm office sq.ft. 210,000 \pm parking and misc, sq.ft.
Height of Building:	256 feet, 17 stories
Exterior Building Materials:	Pre-cast Concrete, granite embellishment at building's base
Parking Provided:	587 spaces (1:600)
Parking Required:	587 spaces (1:600)
Utilities:	Existing

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:

Permit

Certificate of Compliance
Encroachment Permit
Driveway Permit
Building Permit

Agency

Public Works, Development Services
Public Works, Development Services
Public Works, Development Services
Building Division

BACKGROUND INFORMATION:

There have been a variety of requests for office buildings on the subject site since 1981 as reflected in planning files P9399, P9619, P87-238 and P91-298. The first two applications were approved for buildings 154,000± sq.ft. and 177,000± sq.ft. in size respectively. The second two applications for larger buildings (approximately 380,000 sq.ft.) were withdrawn. Currently, the central portion of the half block is vacant with two surface parking lots on the east and west portions of the site.

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

The proposal is consistent with the Community/ Neighborhood Commercial and Office designation of the General Plan. Specifically, the office proposal would support the City's goals to maintain and strengthen Downtown as a major regional office center and as a center for governmental office activity.

Central City Community Plan/ Zoning

The Central City Community Plan designates the site as Multi-Use with a Central Business District- Special Planning District (C3-SPD) zone. Projects within these designations are intended to encourage: high rise offices; development of governmental complexes; and, improvement of the physical environment of the urban setting.

Staff finds the proposal to conform with existing policies adopted in the General Plan, Central City Community Plan and Zoning Ordinance. In addition, the site is appropriate for a high rise office building as it is one block from a light rail station and compliments other governmental uses along I Street.

B. Site Plan Design/Zoning Requirements

The applicant has worked closely with staff in developing a proposal that meets zoning standards and the design criteria of the Urban Design Plan. Specifics of the building are as follows:

1. Setbacks/ Stepbacks/ Height

The zoning ordinance does not require setbacks in the C3-SPD zone unless the project is adjacent to a residential zone. The Urban Design Plan (UDP) contains several setback considerations. At the ground floor, the UDP identifies a five to ten foot setback on the south side of I Street. The

setback is to help create a grand approach to the Civic Center area (10th and I Streets). The proposed setback along the front of the building is 15 feet which exceeds that specified by the UDP. The proposed 13 foot alley setback also exceeds the two foot setback specified in the UDP. These generous setbacks allow advantages in that they enhance the building's design, allow a greater amount of light to penetrate the area and improve circulation around the structure.

The Urban Design Plan Guidelines also identify stepbacks that should be applied to the building as it extends upward. Stepbacks are intended to: help reduce the visual mass of the building; add interest to the design of the building; and, allow additional light to penetrate around the structure. As proposed, the building's mass is divided into two tower elements. Exterior materials assist in the division as the two tower elements contain more stone material than the central glass element. The overall mass and design proposed conforms to the criteria of the Urban Design Plan.

The building is outside the Capitol View Protection Area which limits building height around the State Capitol. Therefore, the unlimited height of the C3-SPD zone would apply to the proposed building. At 256 feet, the Attorney General's building will be approximately 11 feet higher than the 245 foot high Corps of Engineering building which is located directly south.

2. Parking/ Circulation/ TMP

The Zoning Ordinance requires a parking ratio with a maximum of one parking space for every 500 square feet of office use (1:500), and a minimum of one parking space for every 600 square feet of office area, less the first 20,000 sq.ft. of office space and no requirement for retail space (considered a 1:600 ratio). The first levels of the structure will include the 587 spaces needed to meet the 1:600 minimum parking ratio.

The original proposal by the applicant contained more parking than what is proposed today. The amount of parking was reduced through negotiations with city staff. As indicated above, the proposal now meets the minimum parking ratio of 1:600. The applicant indicates that due to the sensitive nature of their selection process (with the State) it is important to stay within the City's parking ratio requirements which was stipulated in the projects's RFP. It is recommended that any additional parking should be made available to Convention Center users, especially during evenings and weekends.

A Transportation Management Plan (TMP) has been submitted which includes promotion of transit pass subsidies, ridesharing and the use of other alternative forms of transportation. The TMP has been reviewed and

approved by the Transportation Review Committee which consists of the Transportation Coordinator and representatives from the Planning Division and Regional Transit.

3. Landscaping

Landscaping is proposed along I, 13th and 14th Streets. In addition, the extended setback along I Street allows a landscape area between the sidewalk and building. Within this area is proposed a second row of trees. These trees will be ornamental trees that would add to the interest of the street level activity and building.

The applicant has been working with the City Arborist who has made several recommendations. Recommendations include removal of the liquidambar along I Street and retention of one of the two large elm trees 14th streets. The elm adjacent to 13th Street has been found to be diseased and will be removed.

4. Child Care

The applicant is working with the state to provide child care for the building. The current direction is that the state is looking into obtain a nearby building on 13th and H Street for child care. Staff is recommending a condition that will require child care, or pay an in-lieu fee, prior to final occupancy of the building. Staff would prefer the development of a child care center either on-site or off-site to facilitate the child care needs of the building.

5. Signage

Signage for the building shall meet the requirements of the City Sign Ordinance and the Urban Design Plan and shall be subject to the review and approval of the Planning Director.

C. Building Design

As proposed the building will be 17 stories and 256 feet high. There will be 583,084 gross sq.ft. Of this, 372,097 sq.ft. will be office space, approximately 210,000 sq.ft. will be a parking facility with 587 cars. A lobby, cafeteria, print shop, loading dock and bicycle lockers are located on the first floor. The next five floors are parking with the office floors above. There will not be any underground levels.

The building will be clad with pre-cast concrete panels in rose and tan colors accented with granite at the building's base.

Staff finds the proposed structure to be compatible with the surrounding structures in that it is comparable in height to the Corps of Engineers building at 1325 J Street (directly south of the proposed building). The site is in the C3-SPD zone which allows unlimited height. The Design Review/ Preservation Board has reviewed the project on several occasions and is working with the developer to ensure the building is of the best design. The remaining design issue is for the developer to better define the building top.

PROJECT REVIEW PROCESS:

A. Environmental Determination

An Environmental Impact Report (EIR) has been prepared for the project (SCH# 93062058). The Draft EIR was circulated for comments between August 9, 1993 and September 21, 1993. The Final EIR contains comments received and a response to those comments. Significant unavoidable impacts of the project have been identified. The most significant of these are transportation (several intersections and freeway off-ramps may be impacted) and air quality (ozone and carbon monoxide). The Environmental Impact Report contains a more detailed description of the project and its potential impacts. As part of the project approval, the Planning Commission will adopt a statement of overriding considerations which essentially indicates that the project's benefits outweigh its potential to impact the environment.

B. Neighborhood Association and Public Comments

The Mansion Flats Neighborhood Association has reviewed the proposal and is in support of it. They envision the project to have a positive impact on security in their neighborhood. The Sacramento Old City Association is not opposed to the project but commented on the desire to see more active ground floor retail uses.

Other neighbors along 14th Street have indicated a concern over parking during the construction phase of the project. In response, the developer is including in their construction mitigation plan a parking pass subsidy for residents of the 14th Street apartments (located between H and I Streets) during the construction phase. In addition, construction workers will be requested by the developer to park in nearby lots rather than on residential streets.

A representative of the D. Benvenuti Company, owner of the Corps of Engineers building on the south side of the alley, has expressed a concern that the loading dock of the proposed building will interfere with access to their parking garage (see Exhibit C). Transportation Division staff have evaluated the situation and have found that truck traffic can be managed to where it will not have an impact on vehicles accessing the parking garage. In addition, the proposed building design incorporates an additional 13 feet to the alley width which will allow easier

maneuvering. The Transportation Division is recommending a restriction on large trucks during peak commute hours and the placement of "no parking" signs on the south side of the alley. Further discussion of this issue and recommendations are contained within the Final EIR and Mitigation Monitoring Plan.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Public Works

Comments received from Development Services pertain to the lot line merger and are contained in the conditions of approval.

The Utility Division is concerned about the applicant's participation in the City's future combined sewer system. An agreement between the City and developer is required as part of the mitigation monitoring program.

Transportation Division provided comments pertaining to the garage parking and ramping. These comments are include in the conditions of approval.

The Transportation Coordinator indicated that a Transportation Management Plan has been submitted and approved by the Transportation Review Committee.

Other project related comments were received in response to the environmental review process. See the Final EIR for those comments and the response to those comments.

D. Planning Commission/ Sacramento Housing and Redevelopment Agency Commission Subcommittee Meeting

On September 20, 1993, a subcommittee of the Planning and Redevelopment Agency Commissions reviewed the subject project. Comments received from the committee pertained largely to the architecture of the building. These comments were presented to the Design Review Board for their consideration.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny the Major Project Special Permit and Lot line Merger. On July 27, 1993, the City Council amended Ordinance No. 88-066 (by Resolution No. 93-045). Ordinance No. 88-066 provides that the City Council approve projects within 400 feet of the Convention Center. The amendment delegated final approval authority to the Planning Commission. The Planning Commission's decision may be appealed to the City Council.

The Design Review/ Preservation Board (DR/PB) typically conducts their review after the Planning Commission's action on the project. In this case, the DR/PB has reviewed the project on three occasions for preliminary review and final review. The DR/PB has given final approval of the building design subject to conditions which include further definition of the building's top.

Fast Track Review:

During the review of this project, the City was committed to a six month fast track review process. The six month period incorporated the environmental analysis, planning entitlement review (including review and input from other departments and agencies), DR/PB meetings and building plan review.

During the review period, a committee of city, state and developer's representatives met twice each month to identify and address concerns. The purpose was to bring to the Planning Commission as complete a project as possible to allow construction to commence quickly after project approval. This is necessary for the applicant to meet the occupancy deadline contained in the state contract.

With the assistance of State Department of Justice (Attorney General's) staff, General Services staff, various city staff and the applicant, the process was brought to the Planning Commission for final decision within the six month time commitment. The process used for this project may be used as a model for other projects. Although the Attorney General's project is located within a relatively controversial free area of the Central Business District, efficiencies of concurrent processing have been employed during the fast track review process that may assist in reducing the processing time of other projects. The expedited review process includes a closely coordinated effort which relies on the responsiveness of all its participants.

RECOMMENDATION: Staff recommends approval of the proposed development as it is consistent with the General Plan and Central City Community Plan designations, the Central Business District- Special Planning District zoning, and surrounding neighborhood in which it located.

Staff recommends the Planning Commission take the following actions:

- A. Certify the Environmental Impact Report (SCH# 93062058) as complete;
- B. Adopt the Mitigation Monitoring Plan by adopting the attached resolution;
- C. Adopt the attached resolution to approve the Major Project Special Permit to develop a 17 story (256 foot high) 372,097 square foot office building with 587 parking spaces; and,
- D. Adopt the attached resolution to approve the Lot Line Adjustment to merge four

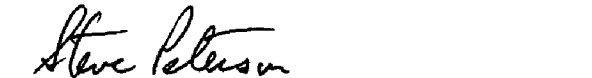
lots into one lot on 1.17+ vacant acres in the Central Business District-Special Planning District (C3-SPD) zone.

Report Prepared By,

Report Reviewed By,



Planner



Senior Planner

Attachments

**CEQA STATEMENT OF FINDINGS OF FACTS
AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

FOR

DEPARTMENT OF JUSTICE ATTORNEY GENERAL'S OFFICE PROJECT

Prepared for:

**City of Sacramento Environmental Services Division
October, 1993**

P93-087

Oct. 28, 1993

#6

CEQA STATEMENT OF FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED DEPARTMENT OF JUSTICE ATTORNEY GENERAL'S OFFICE PROJECT

I. CERTIFICATION OF THE FINAL EIR

Facts in Support of Findings

- A. The City of Sacramento caused an Environmental Impact Report ("EIR") on the Attorney General's Office project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 *et seq.* (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 *et seq.*, and the City of Sacramento Environmental Guidelines.
- B. A Notice of Preparation (NOP) of the draft EIR was filed by the City of Sacramento with the State Clearinghouse at the Office of Planning and Research. The State Clearinghouse assigned Clearinghouse Number 93062058. The NOP was distributed to all responsible and trustee agencies, and interested groups, organizations, and individuals on June 16, 1993. The City accepted comments on the NOP from June 16, 1993 to July 17, 1993.
- C. Copies of the Attorney General's Office Project Draft EIR (DEIR) were distributed by the City of Sacramento to the State Clearinghouse, to those public agencies which have jurisdiction by law with respect to the Project and to other interested parties and agencies. A public review period for the draft EIR began on August 9, 1993 and concluded on September 21, 1993. After the close of the comment period, the City responded to all of the written comments that were received.
- D. The DEIR was then supplemented to incorporate comments received during the public comment period and the City's responses to those comments. As so revised, the Attorney General's Office Final EIR (FEIR), which includes Attorney General's Office Draft EIR (collectively the "EIR"), was prepared and released to the public on October 15, 1993.

E. The following information is incorporated by reference and made part of the record supporting these findings:

1. The Attorney General's Office Draft EIR, Final EIR, and all documents relied upon or incorporated by reference therein;
2. The Mitigation Monitoring Plan dated October 1993;
3. Testimony, documentary evidence and all correspondence submitted or delivered to the City relating to this project or the EIR;
4. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project including but not limited to City of Sacramento General Plan, and the Environmental Impact Report for the City of Sacramento General Plan Update.

Findings

A. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the Attorney General's Office Project EIR and comments and responses thereto having been considered, the City Planning Commission makes the following determinations:

1. The Attorney General's Office Project EIR was prepared and completed in compliance with CEQA.
2. The Attorney General's Office Project EIR has been presented to the City Planning Commission which reviewed and considered the information therein prior to acting on the proposed Attorney General's Office Project.
3. The Attorney General's Office Project EIR reflects the independent judgment of the lead agency, California Environmental Quality Act, Section 21082.1(c)(3).
4. The City Planning Commission has determined that the record and process of the Environmental Impact Report is adequate and complete under the California Environmental Quality Act.

II. FINDINGS AND STATEMENT OF FACTS SUPPORTING THE FINDINGS

The Environmental Impact Report for the Attorney General's Office Project proposal, prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts which could result from adoption of the project or alternatives to the project.

Because the EIR indicates the implementation of the project (or project alternatives) would result in certain unavoidable adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all the identified significant impacts of the project. The significant impacts that cannot be mitigated to a less-than-significant level are considered acceptable by the Planning Commission based on a determination that the benefits of the project (listed in the Statement of Overriding Considerations, Page 30) outweigh the risks of the potentially significant environmental effects of the project.

A. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED

Finding - As authorized by Public Resources Code Section 21081 and Title 14, California Administrative Code Sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the Attorney General's Office Project which mitigate or avoid the significant environmental impacts listed below, as identified in the Attorney General's Office Project EIR.

These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

1. *Urban Design and Street Environment – Street Tree Resources (6.1-3)*

a. **Significant Impact** Adverse impacts to existing City Street Tree resources may result from construction of the proposed project. According to preliminary project design plans, no City Street tree removal will be required for construction of the project. However, some street trees along 13th and 14th Streets may be affected by trenching or grading within or near their driplines. Footings or pile caps of the proposed building may disrupt the root structure of existing trees. For the larger mature trees, changes in light and air may affect the ability of the species to thrive. Direct impacts to tree resources may result from construction activities and the

movement/operation of heavy equipment.

Indirect impacts may include compaction of root zones and root damage within the driplines of trees located on, or immediately adjacent to, the proposed project. Indirect impacts will result from reduced building setbacks which limit space for growth of upper tree canopies. The City Arborist requires that all trees on 13th and 14th Streets, except the English Elm on 13th Street particularly the two large Elm trees be preserved and protected. The Arborist will allow replacement of the liquidambar trees on I Street with 48 inch box sized trees of a more suitable species to protect sidewalk areas and reduce risks. The Arborist will allow the English Elm on 13th Street to be removed because it is in poor health and my present future health and safety risks.

b. Mitigation Measures and Facts in Support of Finding The following mitigation measure has been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.

- (1). A tree preservation and protection plan shall be developed upon the completion of final building design plans for the proposed project which includes planting techniques, necessary maintenance regime, success criteria, and a monitoring plan for trees retained in the City parkway strip between the curb and sidewalk. The monitoring plan shall include five years of monitoring, including spring and fall monitoring. The tree preservation plan shall be subject to the review and approval of the City Arborist. The tree preservation plan shall preserve all existing street trees except that the liquidambar along I Street may be replaced with a more suitable species. Replacement trees must be approved by the City Arborist, and shall be a one for one replacement, with each replacement tree to be a minimum of a 48" box size. Trees on 13th and 14th Street, particularly the large Elms shall be preserved and protected as specified in this mitigation measure.
- (2). Prior to start of construction the applicant shall retain and certified arborist to prune, fertilize and spray trees to be retained in order to ensure the health of the trees during the stress of construction.
- (3). A certified arborist (International Society of Arborists certified,

Western Chapter) shall be retained by the project sponsor to monitor the plan implementation and shall make weekly inspections of the project site during construction.

(4). Street trees shall be protected during construction by the following means:

- a. Place temporary six-foot high chain link fencing around the driplines of individual trees or lines of trees. Where the dripline extends over the street, the fence line shall be placed at the face of the curb. Where the tree's dripline extends into the project site, the fence shall be placed at the back of the sidewalk. The fencing shall be installed around the planting strips in which the street trees are located prior to the commencement of any work on site and shall remain in place during the duration of the project except for temporary removals required to replace existing curb, gutter and sidewalk. The on-site monitoring Arborist shall make weekly inspections to ensure the protective fencing stays in place and to monitor the health of the trees.
- b. No excavation for utilities, trenching, grade changes, storage of materials or parking of vehicles shall occur within the fenced area. Boring or hand trenching for utilities shall be allowed within the driplines and fenced in areas under the supervision of a certified arborist. Compliance shall be determined by the on site monitor as identified in 1 above.
- c. For City Street trees, if, during excavation for the project or for any necessary sidewalk repair or driveway construction, tree roots greater than two inches (2") in diameter are encountered, work shall stop immediately until the City Arborist can perform an on-site inspection. The City Arborist shall approve the contract for all root cutting which may affect City Street trees. The roots shall not be cut unless the City Arborist gives his/her approval. Roots approved to be severed by the City Arborist during the course of excavation shall be neatly trimmed, in a manner as required by the City Arborist. The existing trees may require limb and/or root cutting, supplemental irrigation, fertilization or

pest control. The applicant shall arrange, with approval by the City Arborist, to hire a contractor who will be responsible for all tree work, and shall secure a Permit to Remove or Trim City-Owned Trees from the City prior to commencement of any work on the site. No pruning will be allowed for crane or any other equipment clearance.

- d. The protective mitigation measures shall be noted on all public improvement plans and on all project plans submitted for Building Permits.
 - e. Any tree which is damaged and does not thrive, shall be replaced in accordance with the replacement guidelines set forth by the City Arborist.
- (5). Trees which may be removed shall be limited to the Liquidambar and Ash trees on I Street and the English Elm on 13th Street. All other trees shall be preserved. Prior to removal of any of the designated trees the applicant shall secure a Tree Removal Permit and post the tree for 30 days.

2. Air Quality – Construction Related Particulate Matter (6.3-7)

- a. Significant Impact Construction activities associated with the proposed project will result in the generation of fugitive dust and particulate matter which will temporarily increase PM-10 levels in the vicinity of the project site. This is a significant avoidable impact.
- b. Mitigation Measures and Facts in Support of Finding The following mitigation measures have been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.
 - 1. Apply non-toxic soil stabilizers or to all exposed and inactive construction areas which have been recently graded and are inactive for 10 days or more.
 - 2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel or other construction debris.

3. Water active areas of the construction site twice daily to control wind borne dust.
4. Cover all truck beds hauling dirt, sand, soil, or other loose material to and from the construction site.

3. *Noise – Construction Noise Impacts (6.4-3)*

a. Significant Impact On-site generation of noise will be significant during the period of construction for the proposed project. The proposed project is a high rise office building which will require pile driving and other engine driven construction machines. This is a potentially significant, temporary adverse impact on adjacent land uses.

b. Mitigation Measures and Facts in Support of Finding The following mitigation measures have been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.

- (1). Pre-drilling of starter holes for pile driving shall be required to reduce near surface vibration in the project site vicinity.
- (2). An eight foot construction site barrier of plywood or similar solid and continuous material should be constructed during major ground level and excavation construction activities.
- (3). Prior to start of pile driving activities, the developer or designated contractor shall notify property owners immediately adjacent to the project and sensitive receptors within a one block area (including the Sacramento Theater Company and residential uses at 14th and H Streets) of the site of the start of construction, the duration and the limitations on construction activities pursuant to the Noise Ordinance.

The City further finds that the proposed project will be subject to the City's Noise Ordinance which generally limits construction activities to the period 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday, as a maximum, to limit noise disturbance of nearby areas to less sensitive periods. This applies particularly to construction equipment powered by internal combustion engines, or other noise generating equipment that would disturb surrounding residential areas. With

enforcement of the Noise Ordinance and the above specified mitigation measures, impacts should be reduced to a less-than-significant level.

4. *Groundwater Discharge - Water Quality (6.6-4)*

a. Significant Impact Although design plans are preliminary, the proposed project *may* require dewatering activities during construction depending on the ground water table. The Water Quality Control Act, Section 13-260 and following, requires any discharge or potential discharge of storm runoff/waste to notify the City Utilities Department and the Regional Water Quality Control Board. Therefore, a storm/drain line with an unacceptable exfiltration rate will be required to be repaired to an acceptable exfiltration rate, prior to the discharge of the extracted ground water. The applicant should design the dewatering system (with extraction well screens) to ensure no unnecessary drawdown from a contaminated water bearing zone or highly permeable zone. Employment of these regulation standards should reduce any impacts to a less-than-significant level. Additionally, because the project site is located in the vicinity of the ground water contamination plume associated with the Southern Pacific Railyard, any dewatering discharges must be reviewed for possible contamination in accordance with the Water Quality Control Act and City Resolution No. 92-439. At the time of application for a City dewatering permit, the City Utility Department and Regional Water Quality Control Board shall further determine if the nature and duration of dewatering activities could change the location and direction of the plume.

The project site is located in an area of relatively high ground water levels, and is located in the vicinity of the plume of contaminated ground water from the Southern Pacific Railyards. Dewatering procedures may be necessary during site construction and pile driving. Water removed from the site is considered a ground water discharge and constitutes a potentially significant water quality effect. The City Utility Department requires that any groundwater discharges be regulated and monitored to reduce releases of contaminated groundwater.

b. Mitigation Measures and Facts in Support of Finding The following mitigation measure is recommended to reduce the magnitude of the ground water discharges to a less than significant level.

(1). In the event that pile driving activities or any other activity require

dewatering of the site or groundwater discharge, the applicant shall provide evidence of an approved Groundwater Discharge Permit from the City Utility Department in accordance with City Council Resolution Number 92-439, and shall coordinate with the Regional Water Quality Control Board regarding discharges from or alterations to any contaminated water plumes in the project vicinity. Additionally, the applicant shall pay all appropriate sewer charges to treat the groundwater discharge and pay Connection Fees associated with the additional discharge.

5. *Microclimate – Light and Glare on Sidewalks (6.5.2)*

a. **Significant Impact** The Proposed Project has the potential to generate solar glare on I Street, on 14th Street, and in small areas in the vicinity of 13th and J Streets. Use of low reflectivity glass which is included as part of the project and street trees and landscaping will reduce glare and provide shading at the pedestrian level.

b. **Mitigation Measures and Facts in Support of Finding** The following mitigation measure has been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.

(1). The proposed project shall use landscaping, specifically street trees on the east, north, and west sides of the building to reduce solar glare at the pedestrian, street level of the project. This mitigation will reduce the potential for solar glare on sidewalks to a less-than-significant level.

6. *Microwave and Radio – Remote Rain and Stream Gauge Radio Communications (6.8-3)*

a. **Significant Impact** The project will potentially block radio communications between the State and federal flood agencies' antennas located on the Resources Agency Building at 1416 9th Street and remote rain and stream gauges located to the northeast of the of the building. This is considered a significant impact.

b. **Mitigation Measures and Facts in Support of Finding** The Draft EIR for this project reported that the best mitigation for this impact is to locate a new antenna at a location and height such that communications would be unaffected by high rise buildings. The State Department of General

Services has received approval for its 240-foot communications tower for the PSMN at 111 Bercut Drive which would also accommodate NWS radio equipment as well. Since publication of the Draft EIR, this system has been approved and funded and is now scheduled for implementation. Implementation of this mitigation measure will reduce impacts to a less-than-significant level.

7. Cultural Resources – Prehistoric Resources (6.7-1)

a. **Significant Impact** The proposed project will require trenching and grading which may disturb prehistoric resources. Disturbance of prehistoric cultural resources is a significant impact. There are no recorded prehistoric sites in the project area, however, the area is considered a potentially sensitive site for prehistoric resources due to the proximity of the site to the American and Sacramento Rivers. Disturbance of the site may uncover resources which would constitute a potentially significant impact.

b. **Mitigation Measures and Facts in Support of Finding** The following mitigation measure has been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.

- (1). A qualified archeologist shall be retained by the project sponsor to monitor all subsurface excavations during construction and to assess and record any subsurface artifacts or features that might be unearthed.
- (2). If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

8. Cultural Resources – Historic or Culturally Significant Resources (6.7-2)

a. **Significant Impact** The general area of the proposed project is known to have historic buildings and other features, the sensitivity for historic/cultural resources is estimated to be in the moderate to high range. Buried features and artifacts may be uncovered during ground disturbance activities. This is considered a potentially significant impact.

b. Mitigation Measures and Facts in Support of Finding The following mitigation measure has been developed to reduce adverse impacts to a less than significant level. The mitigation measure will be adopted as part of the project and be included in the Mitigation Monitoring Plan for the Project.

- (1). A qualified archeologist shall be retained by the project sponsor to monitor all subsurface excavations during construction and to assess and record any subsurface artifacts or features that might be unearthed.
- (2). If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

B. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED OR MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

GENERAL FINDING:

The City finds that changes or alterations have been required in, or incorporated into, the Project which substantially reduce the significant environmental impacts listed below, as identified in the Final EIR. However, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level.

This finding is supported by evidence in the record of the proceeding before the City including the Draft and Final EIR prepared for this project; the General Plan for the City of Sacramento and the associated EIR, and the documents incorporated by reference in those EIR's.

In this section, unavoidable impacts are disclosed in accordance with the California Environmental Quality Act (CEQA). Also, in this section, all available and feasible mitigation measures are adopted to reduce the magnitude of impact to the extent possible.

1. *Transportation – Impacts to Local Intersections under Existing Conditions (6.2-1)*

a. **Significant Impact** Traffic associated with the Proposed Project results in significant impacts at the following locations:

- 13th Street and H Street - p.m. peak hour
- 3rd Street and J Street - a.m. peak hour

b. **Mitigation Measures and Facts in Support of Finding** For each of the above impacts, a mitigation measure has been developed to reduce the impact. While the City will adopt these mitigation measures, the City cannot guarantee that the mitigation measure will be physically in place prior to construction or occupancy of the site.

- (1) 13th Street and H Street - The significant impact at this location can be mitigated by installing a traffic signal at this location. Based upon existing without project traffic volumes, this intersection meets the peak hour traffic signal warrant during the p.m. peak hour. This mitigation measure would reduce the impact to a less-than-significant level. Since the project's contribution to traffic at this intersection is less than 1%, the City shall be responsible for developing a plan to install the signal. Because the City cannot guarantee that a financing plan and implementation of the signal will be in place at the time the proposed project is occupied, the impact is considered unavoidable

until implementation is accomplished.

- (2) 3rd Street and J Street - A roadway improvement has been proposed for the intersection of 3rd Street and J Street. This improvement is included in the 1992 Regional Transportation Plan, but has not been fully funded at this time. This improvement primarily consists of widening the I-5 northbound exit ramp at the intersection to 3 lanes for a short distance. This additional capacity would reduce the a.m. peak hour volume-capacity ratio and level of service from 1.07 "F" to 0.85 "D". This mitigation measure would improve conditions to better than existing conditions. With the improvement, the impact is reduced to a less-than-significant level. Because this impact is the result of cumulative traffic increases in the Downtown, the City Transportation Division has assigned a fair share financial obligation to this project of \$25,000. This contribution will assist in the ultimate financing and implementation of the mitigation measure. However, because the City cannot guarantee that the improvement will be in place at the time the proposed project is occupied, the impact is considered unavoidable until implementation is accomplished.

2. *Transportation – Freeway Ramps under Existing Plus Project Conditions (6.2-2)*

- a. **Significant Impact** Traffic associated with the Proposed Project results in significant impacts at the ramp from I Street to I-5 southbound - p.m. peak hour
- b. **Mitigation Measures and Facts in Support of Finding** No feasible mitigation measure within the control of the City of Sacramento has been identified to reduce the impact to the freeway ramp from I Street to I-5 southbound. The proposed project will cause an increase in peak hour delays, however, a significant portion of the impact is caused by regional cumulative traffic development. In order to mitigate impacts, an improvement and financing plan must receive priority in the Regional Transportation Plan and be supported by the State of California, Department of Transportation. These actions fall outside the exclusive jurisdiction of the City of Sacramento and can not be guaranteed by the City. As such, improvement is not a reasonably feasible mitigation measure which can be relied on to reduce impacts. Since the ramp is currently impacted by existing development and the project contributes only a portion of the congestion, and since improvement of this ramp involves the jurisdiction of the State of California Department of Transportation and no local improvement has been planned or is readily available for the southbound ramp from I Street to I-5, the impact is significant and unavoidable.

3. *Transportation – Impacts to Local Intersections under Future Conditions (6.2-6)*

a. Significant Impact Under future conditions, with and without the proposed project, traffic associated with the Proposed Project will continue to degrade the Level of Service at the following intersections:

- 13th Street and H Street - a.m. and p.m. peak hour
- 3rd Street and J Street - a.m. peak hour
- 16th Street and J Street - p.m. peak hour

b. Mitigation Measures and Facts in Support of Finding

- (1) 13th Street and H Street - The significant impact at this location can be mitigated by installing a traffic signal at this location. Based upon future traffic volumes, this intersection meets the peak hour traffic signal warrant during the a.m. and p.m. peak hours. This mitigation measure would reduce the impact to a less-than-significant level. Since the project's contribution to traffic at this intersection is less than 1%, the City shall be responsible for developing a plan to install the signal. Because the City cannot guarantee that a financing plan and implementation of the signal will be in place at the time the proposed project is occupied, the impact is considered unavoidable until implementation is accomplished.
- (2) 3rd Street and J Street - A roadway improvement has been proposed for the intersection of 3rd Street and J Street. This improvement is included in the 1992 Regional Transportation Plan, but has not been fully funded at this time. This improvement primarily consists of widening the I-5 northbound exit ramp at the intersection to 3 lanes for a short distance. This additional capacity would reduce the a.m. peak hour volume-capacity ratio and level of service from 1.07 "F" to 0.85 "D". This mitigation measure would improve conditions to better than existing conditions. With the improvement, the impact is reduced to a less-than-significant level. Because this impact is the result of cumulative traffic increases in the Downtown, the City Transportation Division has assigned a fair share financial obligation to this project of \$25,000. This contribution will assist in the ultimate financing and implementation of the mitigation measure. However, because the City cannot guarantee that the improvement will be in place at the time the proposed project is occupied, the impact is considered unavoidable until implementation is accomplished.

- (3). 16th Street and J Street -The significant impact at this location can be mitigated by providing a northbound right turn lane from 4 to 6 p.m. This can be accomplished by prohibiting parking along the east curb of 16th Street from the mid-block alley to J Street. This would eliminate three two-hour metered parking spaces from 4 to 6 p.m. Success of this mitigation measure is premised upon adequate enforcement of the peak period parking prohibition. Implementation of this improvement would reduce the anticipated p.m. peak hour operation under the Future Plus Proposed Project scenario from 0.80 LOS "D" to 0.76 LOS "C". This would reduce the impact to a less-than-significant level. The operating conditions at this intersection shall be monitored by the City. Upon degradation of operations to less than LOS "C", the City shall implement this mitigation measure.

To ensure that peak period operations of intersections along 16th Street do not impact other intersections, the City shall implement appropriate traffic signal timing coordination plans along 16th Street to minimize such impacts while maintaining efficient traffic operations. However, because the City cannot guarantee that the improvement will be in place at the time the proposed project is occupied, the impact is considered unavoidable until implementation is accomplished.

4. *Transportation – Freeway Ramps under Future Plus Project Conditions (6.2-7)*

a. Significant Impact Traffic associated with the Proposed Project results in significant impacts at the following locations under future plus project conditions:

- Ramp from I-5 northbound to J Street - a.m. peak hour
- Ramp from I Street to I-5 southbound - p.m. peak hour

b. Mitigation Measures and Facts in Support of Finding No feasible mitigation measure within the control of the City of Sacramento has been identified to reduce the impact to these freeway ramps. The ramps will function at less than LOS C under future conditions with or without the project. The proposed project will cause an increase in future peak hour delays. In order to mitigate impacts, an improvement and financing plan must receive priority in the Regional Transportation Plan and be supported by the State of California, Department of Transportation. These actions fall outside the exclusive jurisdiction of the City of Sacramento and can not be guaranteed by the City. As such, improvement is not a reasonably feasible

mitigation measure which can be relied on to reduce impacts. Since the ramps will be impacted by existing plus previously approved development and the project contributes only a portion of the congestion, and since improvement of this ramp involves the jurisdiction of the State of California Department of Transportation and no local improvement has been planned or is readily available for these ramps, the impact is significant and unavoidable.

5. *Transportation – Local Circulation (6.2-5(b) and 6.2-10)*

a. Significant Impact The current design of the loading dock access to the alley of the proposed project will utilize the 20 foot alley as the maneuvering area for trucks backing into the loading dock. These backing vehicles may conflict with other traffic in the alley, including vehicles accessing the parking garage for the 1325 J Street (Army Corps of Engineers) Building. Because trucks and other vehicles backing up could temporarily block the alley, this is considered a significant impact. It is noted that the loading dock for the 1325 J Street Building similarly results in backing vehicles obstructing traffic flow in the alley.

b. Mitigation Measures and Facts in Support of Finding To fully mitigate the impact, redesign of the project's loading dock access to avoid maneuvering in the alley space, so as to not interfere with other traffic in the alley would need to occur. However, this modification has been explored and determined infeasible because it would require substantial project modification, (set back and redesign of the building) which would compromise the development objectives of the project which is to provide adequate space for a government print shop on the first level. The loading docks are related to the printshop and must be located in proximity to the printshop. The space requirements of the printshop dictate that the shop be located on the 13th Street (west) side of the building insofar as the 14th Street (east) side of the building provides less space because the garage access and ramp take up a significant amount of the eastern floorplate. In turn, the ramps can not be relocated since the City requires that the access to the building be on 14th Street in order to avoid conflicts with cars entering and exiting the public garage on 13th Street. Additionally, the alley is a public right-of-way created for loading and unloading vehicles. As such, it is reasonable to expect vehicles from both the 1325 J Street building and the proposed project to utilize this corridor for their respective loading dock operations. The proposed project is located 13 feet from the alley right-of-way which does provide truck parking and maneuvering area outside of the

right-of-way to reduce impacts. To reduce the magnitude of impacts the City Planning Department has adopted additional conditions for signage along with these Findings which adopt the following mitigation measure:

- (1) Require the proposed project to prohibiting access of large vehicles to the loading dock during peak commuter periods (e.g. 7 to 9 am and 4 to 6 pm). This would reduce conflicts between peak hour traffic accessing the Army Corps of Engineers garage and loading operations.

6. *Transportation – Construction Period Circulation and Parking Impacts (6.2-11)*

a. Significant Impact During construction of the project, typical construction activities may disrupt traffic flow and parking in the project vicinity. These are considered temporary significant impacts. Impacts may include: temporary loss of on-street parking opportunities along the perimeter of the site for construction access; staging of construction vehicles; parking for construction workers; and possible conflicts with the Community Convention Center Traffic Operations Plan for truck marshalling during construction activities. Some of these impacts may extend through the entire construction period and others may be of a temporary nature. While most of these impacts will occur immediately adjacent to the project site, it is possible that disruption may extend to other locations depending upon utility construction needs.

b. Mitigation Measures and Facts in Support of Finding No feasible mitigation to entirely avoid temporary impacts related to construction can be identified. The City can however, reduce the magnitude of impacts through planning coordination and mitigation measures. In accordance with normal City practice, the applicant will be required to prepare a construction mitigation plan for review and approval by City Departments. In addition to normal City requirements regarding site access and traffic procedures, the Construction Mitigation Plan should address the following site specific issues:

- (1). Methods to eliminate conflicts between construction activities and vehicle access to and from the mid-block alley;
- (2). Coordination with the Convention Center management regarding Convention Center operations and the project construction schedule and staging areas to minimize disruptions to Convention Center operations;
- (3). The project applicant shall designate a construction coordinator who will be responsible for identifying appropriate parking sites for

construction workers in the area and shall be responsible for disseminating information to employees to limit or prohibit parking in the residential areas during construction. The name and phone number of the Construction Coordinator shall be conspicuously posted on the project site to enable neighbors to contact the coordinator should parking problems in the neighborhood arise. In addition, the City of Sacramento shall be responsible for enforcement of the Residential Preferential Parking Ordinance in this area to ensure consistent ticketing of violators of the ordinance. In addition, the City has applied a Planning Condition to require the applicant to partially subsidize up to 20 parking spaces for residents located on 14th Street between I Street and H Street.

7. Air Quality – Ozone Project Specific and Cumulative Impacts (6.3-1 and 2)

a. **Significant Impact** Vehicle trips associated with the proposed project will contribute ROG and NOx emissions that would contribute to regional ozone levels. The traffic associated with use of the project site is estimated to produce 100 pounds per day of ROG and 140 pounds per day of NOx. Although the project specific emissions generation falls below the SMAQMD threshold for project level significance, the project will contribute to continued violation of the ozone air quality standards for the region which is considered a significant unavoidable impact by the City of Sacramento.

b. **Mitigation Measures and Facts in Support of Finding** Violations of air quality standards are part of a regional air quality problem which is beyond the control of individual projects or local governing boards to fully mitigate. To partially mitigate, the Project sponsor shall comply with the City of Sacramento's adopted Transportation Systems Management (TSM) ordinance to reduce vehicle trips. The intent of the ordinance is to decrease the use of single-occupant automobiles and increase the use of alternative modes of transportation such as ridesharing, public transit, walking and bicycles. The development and implementation of an aggressive TSM program would reduce the total number of vehicle trips associated with the Project. Mitigation measures to be included with the TSM program include:

- (1). Provide information on the U.S. Postal Service's "Stamps on Call Program" (which provides delivery of postal products to the employees). The program is available at the nearest Local Delivery Unit of the Postal Service.
- (2). At a minimum, provide and maintain bicycle parking requirements in compliance with Section 6-G of the City's Zoning Ordinance.

- (3). Organize a Transportation Management Association (TMA) among the businesses within the proposed project area to assist the City's 35% trip reduction goal or join the Downtown TMA.
- (4). Provide and maintain a display that would be located in a central location of the proposed project that would list amenities within the proposed project and within a 1/2 of a mile of the project site for employees (e.g., food, cleaning, insurance, banking, childcare, and public transit).
- (5). Distribute on an annual basis to employees information regarding the above services. Provide new employees with information regarding the above prior to starting work so they will be aware of the services.
- (6). Hire or designate a Transportation Management Plan Coordinator to educate, market and manage transportation system management strategies. Provide employees with information regarding the relationship of ozone formation and vehicle trips to encourage each employee to make a conscientious contribution to reduction of air quality emissions, particularly during "ozone season."
- (7). Consider as part of the Transportation Management Plan for the project, methods to encourage alternative fuel and battery operated vehicles through reservation and retrofitting of parking spaces for electric cars.

However, adoption of these mitigation measures will not in and of themselves, reduce generation of ozone to a less-than-significant level.

8. *Air Quality – Carbon Monoxide Project Specific and Cumulative (6.3-3 and 4)*

- a. **Significant Impact** During project operation, motor vehicle traffic generated by the project will emit CO emissions that would contribute to local CO levels along roads in the project vicinity. Cumulative traffic increases, including the percent generated by the proposed project or alternatives, may increase levels of CO along roadways and intersections in the project vicinity. Based upon the traffic analysis, several intersections are projected to operate at LOS above C and are expected to result in violations of the 8 hour State and Federal CO standards. These intersections are the intersections of 16th/H Streets, 5th/I Streets, 3rd/J Streets, 12th/J Streets and 16th/J Streets.
- b. **Mitigation Measures and Facts in Support of Finding** Violations of

air quality standards are part of a regional air quality problem which is beyond the control of individual projects or local governing boards to fully mitigate. To partially mitigate, the Project sponsor shall comply with the City of Sacramento's adopted Transportation Systems Management (TSM) ordinance to reduce vehicle trips. The intent of the ordinance is to decrease the use of single-occupant automobiles and increase the use of alternative modes of transportation such as ridesharing, public transit, walking and bicycles. The development and implementation of an aggressive TSM program would reduce the total number of vehicle trips associated with the Project. Although this reduction in the number of vehicle trips would result in a reduction of carbon monoxide concentrations these reductions would not eliminate the potential violations of the State and Federal eight-hour ambient air quality standards.

Implementation of the following mitigation measures will reduce the magnitude of impact but not to a less than significant level.

1. Implement mitigation measure 6.3-1 to reduce total peak hour trips resulting from the project.
2. Implement the intersection improvement recommendations included in Chapter 6.2, Transportation, to reduce congestion at intersections.

9. Air Quality –Particulate Matter (Project Specific and Cumulative Traffic Generated PM-10) – (6.3-6 and 8)

a. **Significant Impact** The traffic associated with the proposed project is estimated to generate 350 lbs/day of PM-10 which will contribute to continued violations of State and Federal standards for PM-10. This is a significant unavoidable impact. The proposed project and cumulative development will further result in continued violations of PM-10 standards.

b. **Mitigation Measures and Facts in Support of Finding** Violations of air quality standards are part of a regional air quality problem which is beyond the control of individual projects or local governing boards to fully mitigate. To partially mitigate, the Project sponsor shall comply with the City of Sacramento's adopted Transportation Systems Management (TSM) ordinance to reduce vehicle trips. The intent of the ordinance is to decrease the use of single-occupant automobiles and increase the use of alternative modes of transportation such as ridesharing, public transit, walking and bicycles. The development and implementation of an aggressive TSM program would reduce the total number of vehicle trips associated with the Project. Mitigation measures to be included with the TSM program include:

- (1). Provide information on the U.S. Postal Service's "Stamps on Call Program" (which provides delivery of postal products to the employees). The program is available at the nearest Local Delivery Unit of the Postal Service.
- (2). At a minimum, provide and maintain bicycle parking requirements in compliance with Section 6-G of the City's Zoning Ordinance.
- (3). Organize a Transportation Management Association (TMA) among the businesses within the proposed project area to assist the City's 35% trip reduction goal or join the Downtown TMA.
- (4). Provide and maintain a display that would be located in a central location of the proposed project that would list amenities within the proposed project and within a 1/2 of a mile of the project site for employees (e.g., food, cleaning, insurance, banking, childcare, and public transit).
- (5). Distribute on an annual basis to employees information regarding the above services. Provide new employees with information regarding the above prior to starting work so they will be aware of the services.
- (6). Hire or designate a Transportation Management Plan Coordinator to educate, market and manage transportation system management strategies. Provide employees with information regarding the relationship of ozone formation and vehicle trips to encourage each employee to make a conscientious contribution to reduction of air quality emissions, particularly during "ozone season."
- (7). Consider as part of the Transportation Management Plan for the project, methods to encourage alternative fuel and battery operated vehicles through reservation and retrofitting of parking spaces for electric cars.

However, adoption of these mitigation measures will not in and of themselves, reduce generation of ozone to a less-than-significant level.

10. *Microclimate – Light and Glare on Roadways (6.5-1)*

- a. Significant Impact Project development would result in reflected glare on driver's traveling Interstate 5, State Highway 160, or I Street. A driving survey of freeway/highways/roads adjacent to the Proposed Project site determined that the project will not be visible from many locations due to the relatively flat topography of the area and blockage from existing high-

rise buildings. The site is visible from elevated portions of Interstate 5 travelling southbound into the downtown and from elevated portions of State Highway 160, again driving south into downtown. The Proposed Project is also visible from portions of I Street. Although the materials used for the exterior facades for the building will be low in solar reflectivity, the potential for glare will exist. Therefore, potential solar glare is recognized as a significant impact.

b. Mitigation Measures and Facts in Support of Finding Several mitigation measures are typically used to reduce solar glare created by the upper stories of a structure: 1) the use of low reflectivity glass, 2) the use of materials other than glass or polished surfaces, and 3) designs which have broken surface treatments to avoid large reflective surfaces. The Proposed Project is using low reflectivity glass and has been designed with projections, bays and vertical bands of precast concrete that break up large vertical and horizontal surfaces. Therefore, the Proposed Project already proposes the typical mitigations for solar glare. Other mitigation measures would not guarantee the absence of solar glare and, therefore, are not recommended. Since the potential remains that the Proposed Project can produce solar glare and cannot be mitigated to less-than-significant, this impact remains significant and unavoidable.

11. *Microclimate- Wind Tunnel (6.5-3)*

a. Significant Impact The Proposed Project has the potential to create occasional wind tunneling effects in the range of 20 miles per hour once the Convention Center Expansion is completed. This is a significant impact on pedestrian comfort, but a less-than-significant impact on public safety.

b. Mitigation Measures and Facts in Support of Finding Additional surface level wind baffling could be achieved with appropriately sited landscaping. Anchored or permanent tree planters staggered along the 13th and 14th Street frontages of the building would help to reduce wind generation at street level. However, this will not remove the potential for a significant impact under certain climatic conditions, therefore this is a significant unavoidable impact.

12. *Wastewater - Combined Sewer System Impacts (6.6-1)*

a. Significant Impact The proposed project will require a connection to the City of Sacramento's Combined Storm/Sanitary Sewer System. Using the Sanitary Sewage Flow Generation Rates, the proposed project (consisting of 372,097 square feet of offices) is estimated to generate an ADWF of 74.4 esd and a PF of 178.6 esd of sanitary sewage into the Combined System

(without infrastructure improvements). This exceeds the City's threshold for potential significance which is a flow greater than 40 esd and constitutes a potentially significant unavoidable impact.

b. Mitigation Measures and Facts in Support of Finding Development of the proposed project may increase the flow of sanitary sewage to the Combined Sewer System (CSS). No feasible mitigation measures are available at this time to reduce the system-wide impacts below a level of significance. The City Utility Department does however, require that individual projects attempt to reduce the magnitude of impact by preparing a Combined Sewer Mitigation Plan. To reduce magnitude, the applicant will be required to:

(1). The applicant shall, in coordination with the City Utilities Department, prepare an engineering analysis of the proposed project using the Sacramento Stormwater Wastewater Management Model (SSWMM) to identify the location and extent of wastewater impacts to the system. Based on the analysis, the City Utility Department may require compliance with the following procedures to reduce impacts:

a. The applicant shall pay such lawful fees, taxes, or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessments districts, or other fair equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater/wastewater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation, which obligates the applicant to pay fair equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

b. If the SSWMM analysis indicates that improvements are required for the project, the applicant shall provide the City Utility Department with a mitigation plan acceptable to the City or pay for mitigation improvements. The Plan may include on-site storage with retention or detention, sewer main upsizing, re-routing or replacement of pipes, connection to separated areas or other measures as appropriate to the site. Each individual project plan is to be negotiated with the City Utility Department.

13. *Storm Water Runoff - Water Quality Impacts (6.6-3)*

a. **Significant Impact** Runoff from the proposed project may convey concentrations of hydrocarbons and/or heavy metals or other pollutants which degrade water quality of the Sacramento River via the Combined Sewer System which has inadequate treatment capacity and through surface run-off. Conveyance of these pollutants during the event of a storm is considered a significant unavoidable impact.

b. **Mitigation Measures and Facts in Support of Finding** The Central Valley Regional Water Quality Control Board (CVRWQCB) has an approved National Pollutant Discharge Elimination System Stormwater (NPDES) permit for the County of Sacramento. This NPDES permit ensures compliance with Federal EPA standards. The NPDES permit requires a construction site management program and a stormwater management program for new development. The NPDES requirements for new development are as follows:

Each permittee shall submit a draft Stormwater Management Program for new development. The draft must include a work plan to control pollutants, associated with development, to the maximum extent practicable. The work plan must list or reference Best Management Practices (BMP's) that will control the runoff of pollutants from new development to the maximum extent practicable. The work plan must also outline how the program will be administered, how it will be funded, and how the effectiveness of the BMP's will be addressed. The City's Stormwater Management Program for new development was adopted in October 1992.

The following mitigation measure is recommended to reduce the magnitude of the storm water pollutants but not to a less-than-significant level. This impact remains significant unavoidable.

- (1). The applicant shall comply with the City's adopted stormwater discharge program (BMP's) which ensures compliance with the CVRWQCB standards (and thus the Federal EPA standards) and the City's NPDES permit requirements.

14. *Microwave and Radio - Public Safety Radio Communications (6.8-1)*

a. **Significant Impact** The proposed Attorney General's Office project includes the development of a building at a maximum of 256 feet in height. The project will potentially create radio "shadows" where police, fire, public works and public safety communications would be difficult. Four police channels, two fire channels and two public safety data channels located at 111

Bercut Avenue and at 813 6th Street will be effected. The loss of communications in the City's telecommunications system would vary with the frequency of the channel being used. This is considered a significant unavoidable impact.

b. Mitigation Measures and Facts in Support of Finding The mitigation of radio communication blockage or interference by high rise buildings can sometimes be accomplished by the installation of a repeater station on the blocking building. For public safety channels, the building must meet stringent seismic safety structural standards. This would add to the cost of building design and construction and would add prohibitively to the cost of the proposed project. Additionally, radio interference in the downtown area is the result of cumulative high rise developments, not a single project.

Another means of mitigating the impact is to locate a new antenna at a location and height such that communications would be unaffected by buildings. The City of Sacramento and the County of Sacramento are cooperating in the construction of joint radio communication facilities which would provide full coverage for the metropolitan area. This system has been approved but not funded. The cost of this system could be shared equitably by all high rise development adversely affecting communications through a mitigation fee program. No such program currently exists, therefore the impact is considered significant and unavoidable.

15. *Microwave and Radio -- County of Sacramento Microwave Transmissions (6.8-4)*

a. Significant Impact The proposed project also has the potential to effect the County's microwave link from 700 H Street to Branch Center. The building is not in the direct path of the signal, however there may be signal interference.

b. Mitigation Measures and Facts in Support of Finding The mitigation of microwave communication interference by high rise buildings can be accomplished through a number of means: the installation of a repeater station on the blocking building, relocating transmissions to fiberoptic cable, or T-stan (dedicated phone line) lines. The transmitter can be relocated to realign the path to avoid the building. A communications expert, with knowledge of the types communication system options that can be used must be retained by the developer to determine what type of communication system modifications would be most appropriate. Some options may involve structural changes to the building design which will have to be determined prior to construction. The feasibility of these measures is not known, therefore the impact is considered significant and unavoidable.

16. *Microwave and Radio – County of Sacramento Flood Alert Warning Radio Telemetry (6.8-5)*

a. Significant Impact The proposed project, along with other high rise development in the downtown, has the potential to effect the County's Flood Alert Radio Telemetry signals (elevation 102 feet) currently received at the County Administration Building at 827 7th Street.

b. Mitigation Measures and Facts in Support of Finding The weakening to this signal is the result of several existing buildings downtown and may be further impacted by this project. As such, full mitigation for this impact would need to be shared by existing and planned high rises in the downtown. The mitigation of radio communication blockage or interference by high rise buildings can be accomplished by relocation or redirection of the antennas for the Flood Warning System. (A repeater station will not be effective for this system because there are multiple transmissions at this elevation and frequency). Antennae modifications to isolate and direct the individual frequency will be required. Alternatively the antennae could be relocated to new antenna location and height such that communications would be unaffected by buildings. Although the City of Sacramento and the County of Sacramento are cooperating in the construction of joint radio communication facilities which would provide full coverage for the metropolitan area, the Flood Warning system has not been included in the relocation plans. The cost of mitigation for this system, since no feasible project specific mitigation has been identified, could be shared equitably by all high rise development adversely affecting communications through a mitigation fee program. No such program currently exists, therefore the impact is considered significant and unavoidable.

C. ALTERNATIVES

A range of alternatives was reviewed by the EIR including the required "no project" alternative. In addition to the proposed project a reduced intensity alternative was also analyzed to determine whether significant impacts could be lessened by reducing the project's size. In general, all on-site and off-site alternatives (except the no project alternative) result in significant impacts to transportation systems, air quality, the Combined Sewer System and the related water quality effects, microclimate and cultural resources. As such, the No Project Alternative would be the environmentally superior alternative. Under this alternative, the existing environment would remain the same with no change in current land use.

CEQA Guidelines require that an environmentally superior development alternative be identified if the No Project is the environmentally superior alternative. The environmentally superior "development" alternative is Alternative B - Reduced Intensity Alternative. This alternative, as well as the proposed project, creates significant environmental impacts in the areas of air quality, traffic, construction noise, wastewater, aesthetics and possible microwave and radio interference. However, the magnitude of impacts that Alternative B contributes to these areas is less than the proposed project. Specifically, this alternative's contribution to traffic generation and related air quality degradation in the areas of carbon monoxide, ozone, and particulate matter is lower than the proposed project. This alternative would contribute less toward the addition of flow into the City's Combined Wastewater/Sewer System resulting in reduced project specific and cumulative impacts in this area. Additionally, this alternative (because of the structure's reduced height) would have less interference with City, County and State radio and radar communications. The Alternative would not however, meet one of the primary objectives of the project which is to provide sufficient office space to meet the space and location requirements of the State Attorney General's Office project.

Alternatives studied, their relative impacts and findings related to those impacts are stated below:

Alternative A - No Project Alternative

Under the No Project Alternative, the project site would not be developed as proposed and the property would be maintained in its present use, which is a surface parking lot. Impacts to air quality, wastewater, and aesthetics that occur under the development alternatives would not occur.

Alternative B - Reduced Intensity Alternative

This alternative includes a project which is nine (9) stories in height and which totals 308,664 square feet. Five floors of office use (171,480 s.f.) would be included along with 341 parking spaces and 20,000 square feet of ground floor retail. Similar to the proposed project, the first six levels of the building have a rectangular footprint which conforms to the site. Floors

seven and nine would include a recessed area central to the frontage along I Street. The building would be set back from I Street by 10 feet. And would occupy the same footprint as the proposed project.

The Reduced intensity alternative would result in the following significant impacts:

1. **Public Street Tree Impacts:** This alternative would result in the same potentially significant impacts to public street trees as those described for the proposed project.
2. **Transportation Impacts to Local Freeway Ramps:** This alternative would impact local freeway ramps which either currently function below level of service C or are projected to function below level of service C. The location of impacts would be the same as the proposed project, however, the magnitude of impact would be reduced by this alternative which is of a reduced size and would generate less vehicle trips. The EIR estimates that this alternative would reduce trips between 37 and 39% in the a.m. peak from that expected by the proposed project and between 12 and 16% in the p.m. peak from that expected from the proposed project (Page 6.2-48 DEIR).
3. **Transportation Impacts to Local Intersections:** This alternative would similarly impact local intersections, many of which are currently congested. The alternative would increase congestion at these intersections. The EIR estimates that this alternative would reduce trips between 37 and 39% in the a.m. peak from that expected by the proposed project and between 12 and 16% in the p.m. peak from that expected from the proposed project (Page 6.2-48 DEIR).
4. **Transportation Impacts on the Local Alley:** This alternative has the same footprint as the proposed project and would not reduce impacts to the local alley.
5. **Construction Period Impacts:** This alternative would result in similar construction period circulation and parking impacts as the proposed project. Because of the reduced size, construction may be of a slightly shorter duration than the proposed project, however impacts would still be considered significant.
6. **Air Quality Impacts:** Sacramento is a non-attainment area for ozone, carbon monoxide, and PM-10. Both the proposed project and the reduced alternative would introduce new development which would contribute to continued violations of air quality standards. This alternative would however, produce less vehicle trips and would therefore result in less air quality effects than the proposed project; the effects would, none-the-less, be considered significant because they would contribute to continued violations of air quality standards.
7. **Noise Impacts:** Noise impacts from construction and loading dock operations would be similar to the proposed project. No appreciable reduction in noise impacts

would result from selection of this alternative.

8. **Microclimate Impacts:** Solar glare on roadways and possible wind tunneling effects during certain climatic conditions would result under both the proposed project and this alternative.
9. **Wastewater Impacts:** Both the proposed project and this alternative would be located in the Combined Sewer System Service area and would result in unavoidable wastewater and water quality impacts. This alternative would however generate less wastewater. The alternative would generate approximately 34.4 esd in Average Dry Weather Flows (compared to 74.4 esd for the proposed project) and 82.5 esd in peak flow (compared to 178.6 esd for the proposed project). Selection of this alternative would reduce the magnitude of impact, but not to a less than significant level. Any increase over 40 esd in peak flow is considered a significant impact.
10. **Microwave Impacts:** This alternative (seven stories in height) would result in similar impacts to microwave, radio and radar communications as would result from the proposed project except this alternative would not interfere with Remote Rain and Stream Gauge Communications.
11. **Cultural Resources:** This alternative would not result in a reduction in potentially significant cultural resources impacts. Both the proposed project and this alternative would require trenching and grading on the site which may effect historic resources.

Selection of the reduced project alternative would be less effective in attaining the basic objectives of the project sponsor, the State of California Department of General Services or the City of Sacramento regarding commerce and industry and location and consolidation of State offices within the CBD. A basic objective of the sponsor, the City and the State of California is to consolidate the Attorney General's Office functions in a downtown location within a 10 minute walk of the State Capitol. According to the State Department of General Services' *State Strategic Facilities Plan for Sacramento*, a minimum of 181,800 net sf is immediately needed with the ability to ultimately expand to 290,250 square feet of office space. The reduced project alternative provides 171,480 gsf of office space which would not meet this requirement.

D. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding the disclosure of the significant impacts and their mitigation described, the City has determined pursuant to Section 15093 of the State CEQA Guidelines that the benefits of the Project outweigh the adverse impacts, and the Project should be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the City has determined that the Project would contribute to traffic, air quality, wastewater and water quality, and microclimate impacts which are considered significant adverse impacts, as disclosed in the Final EIR prepared for this Project.

The City, specifically finds and makes this Statement of Overriding Considerations that, as part of the approval provisions, the Project has eliminated or substantially lessened all significant effects on the environment where feasible, and has determined that any remains significant effects on the environment found to be unavoidable are acceptable due to overriding concerns as described below:

1. The Project will support the goal of enhancing Sacramento as a base for regional offices, promote the re-use and revitalization of existing developed areas, and promote the economic vitality and diversification of the local economy.
2. The Project will support and implement the goals of the City General Plan to:
 - Maintain and strengthen Downtown's role as a major regional office, retail, commercial, governmental, and cultural/entertainment center (Goal A, Sec. 4-12).
 - Promote the successful development of mixed use projects in the Central City (Goal B, Section 4-14)
 - Implement the provisions of the Sacramento Urban Design Plan (Policy Sec. 4-14).
 - Maintain and strengthen Downtown's role as a center for governmental office activity (Goal C, Section 4-15)
 - Continue construction and leasing of public office space in Downtown (Policy 1, Section 4-15)
3. The Project will support and implement the goals of the CBD which are included in the Central City Community Plan and include:

- Continue revitalization of the Sacramento Central City area as a viable living, working, shopping and cultural environment with a full range of day and night activities (Primary Goal, pg. 3).
 - Provide for organized development of the Central City whereby the many interrelated land use components of the area support and reinforce each other and the vitality of the community (Urban Development Goal, pg. 3).
 - Encourage coordinated development of various governmental complexes in the Central City to ensure that their future growth needs are compatible with the Central City Plan (Urban Development Goal, pg. 3).
 - Provide an opportunity for office development in appropriate areas of the Central City where compatible, with adjacent land uses and circulation systems, in the Central Business District (Office Goal, pg. 5)
 - Improve the physical quality of the environment for Central City residents, shoppers, employees, and visitors. Create an attractive urban setting through the preservation of existing amenities in the Central City and development of an urban design addendum to the Central City Plan (Environmental Goal, pg. 8).
4. The project conforms to the City's CBD zone, the Urban design Plan and the Redevelopment Plan which call for intense urban development in the CBD-SPD zone where the proposed project is located.
5. The project supports the State Capitol Area Plan policies to:
- Locate State office space in the metropolitan Sacramento area so as to meet the State's needs while minimizing disruptive effects of that space on the City.
 - Locate State offices in the Core Area within a walking radius of the Capitol according to function and relationships to other offices.
 - Locate State offices in the downtown area north of L Street to permit more balanced office locations within the ten-minute walking radius, providing sites with supporting services already in place and serving as a positive effort to revitalize and reinforce the downtown economy.
 - Develop a program to meet projected needs for State office space in the core area in a cost-efficient manner, including new construction of State-owned offices.

■ Encourage office-related and non-office uses in the same structure when possible and appropriate.

MITIGATION MONITORING PLAN
FOR
ATTORNEY GENERAL'S OFFICE PROJECT
ENVIRONMENTAL IMPACT REPORT

Prepared For:
City of Sacramento Environmental Services
Division

Date:
October 1993

Adopted By:
City of Sacramento City Council

Date:

Attest:

City Clerk

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CITY OF SACRAMENTO MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required by and prepared for the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Attorney General's Office Project (P90-345)

Applicant - Name: James C. Fritcher, Senior Project Manager
Opus Southwest Corporation

Address: 9900 Bren Road East
Minnetonka, Minnesota 55343
(612) 936-4456

Project Location / Project Description:

The proposed project is located in Downtown Sacramento, within the Central Business District. The site includes four parcels fronting on I Street between 13th and 14th Streets identified as Assessor's Parcel Numbers 006-0054-007, -008, -016, and -019. The development application to the City of Sacramento for the proposed project requests approval of a 17 story (256 feet), 583,084 gross square foot building which will contain 372,097 gross square feet of office and a 206,987 square foot (608 spaces) parking facility on 1.17± vacant acres. The proposed project is in response to the State of California, Department of General Services request for proposals to build and lease an office building that meets the space and location requirements necessary to house the State Attorney General's offices.

SECTION 2: GENERAL INFORMATION

The project as approved includes the mitigation measures adopted as part of the Findings of Fact for this Project. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the

Attorney General's Office Project Mitigation Plan

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project applicant.

SECTION 3: MITIGATION MONITORING PLAN

This section describes all adopted mitigation measures, identifies the entity responsible for monitoring the implementation of the measures and the procedures for monitoring the mitigation measure. The measures are identified in accordance with their number in the associated Draft and Final EIR to allow easy reference to the impact discussion for which the mitigation measure has been developed.

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STREET TREE RESOURCES

Mitigation 6.1-3 City Street Tree Resources

1. a. A tree preservation and protection plan shall be developed upon the completion of final building design plans for the proposed project which includes planting techniques, necessary maintenance regime, success criteria, and a monitoring plan for trees retained in the City parkway strip between the curb and sidewalk. The monitoring plan shall include five years of monitoring, including spring and fall monitoring. The tree preservation plan shall be subject to the review and approval of the City Arborist. The tree preservation plan shall preserve all existing street trees except that the liquidambar along I Street may be replaced with a more suitable species. Replacement trees must be approved by the City Arborist, and shall be a one for one replacement, with each replacement tree to be a minimum of a 48" box size. The Arborist will allow the Elm on 13th Street to be removed provided the applicant secures a Tree Removal Permit and posts the tree for 30 days prior to removal. All other trees on 13th and 14th Street, including the Elm on 14th Street shall be preserved and protected as specified in this mitigation measure.
 - b. Prior to start of construction the applicant shall retain a certified arborist to prune, fertilize and spray trees to be retained in order to ensure the health of the trees during the stress of construction.
 - c. A certified arborist (International Society of Arborists certified, Western Chapter) shall be retained by the project sponsor to monitor the plan implementation and shall make weekly inspections of the project site during construction.
2. Street trees shall be protected during construction by the following means:
- a. Place temporary six-foot high chain link fencing around the driplines of individual trees or lines of trees. Where the dripline extends over the street, the fence line shall be placed at the face of the curb. Where the tree's dripline extends into the project site, the fence shall be placed at the back of the sidewalk. The fencing shall be installed around the planting strips in which the street trees are located prior to the commencement of any work on site

and shall remain in place during the duration of the project except for temporary removals required to replace existing curb, gutter and sidewalk. The on-site monitoring Arborist shall make weekly inspections to ensure the protective fencing stays in place and to monitor the health of the trees.

- b. No excavation for utilities, trenching, grade changes, storage of materials or parking of vehicles shall occur within the fenced area. Boring or hand trenching for utilities shall be allowed within the driplines and fenced in areas under the supervision of a certified arborist. Compliance shall be determined by the on site monitor as identified in 1 above.
 - c. For City Street trees, if, during excavation for the project or for any necessary sidewalk repair or driveway construction, tree roots greater than two inches (2") in diameter are encountered, work shall stop immediately until the City Arborist can perform an on-site inspection. The City Arborist shall approve the contract for all root cutting which may affect City Street trees. The roots shall not be cut unless the City Arborist gives his/her approval. Roots approved to be severed by the City Arborist during the course of excavation shall be neatly trimmed, in a manner as required by the City Arborist. The existing trees may require limb and/or root cutting, supplemental irrigation, fertilization or pest control. The applicant shall arrange, with approval by the City Arborist, to hire a contractor who will be responsible for all tree work, and shall secure a Permit to Remove or Trim City-Owned Trees from the City prior to commencement of any work on the site. No pruning will be allowed for crane or any other equipment clearance.
3. The protective mitigation measures (#2, a-c) shall be noted on all public improvement plans and on all project plans submitted for Building Permits.
 4. Any tree which is damaged and does not thrive, shall be replaced in accordance with the replacement guidelines set forth by the City Arborist.
 5. Trees which may be removed shall be limited to the Liquidambar and Ash trees on I Street and the English Elm on 13th Street. All other trees shall be preserved. Prior to removal of any of the designated trees the applicant shall secure a Tree Removal Permit and post the tree for 30 days.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Neighborhood Services Department, Tree Services Division

Monitoring Program:

Prior to approval of final building plans and permits, the City Arborist and City Building Division shall verify that Mitigation Measures 1(a) and 2 (a) through (c) are noted on project plans submitted for building permits in accordance with Mitigation Measure 3. The tree preservation plan (measure 1(a) shall be submitted to the City Arborist for review and approval.

Prior to start of construction, the Building Department, in consultation with the City Arborist, shall verify that Mitigation Measures 1(b) and 2(a) have been accomplished by the applicant. In addition, the applicant shall notify the City Arborist of the name and phone number of the certified arborist selected to conduct weekly inspections during project construction (mitigation measure 1(c)).

During and following construction, the City Arborist shall monitor the applicant's compliance with the requirements of 1(a), 2(a) through (c) and 4.

TRANSPORTATION AND CIRCULATION

Mitigation 6.2-1 Transportation -- Intersections

- 13th and H Streets - The City shall develop a financing and implementation plan to install a traffic signal at 13th and H Streets.
- 3rd Street and J Street - The applicant shall contribute to the widening the I-5 northbound exit ramp at the intersection to 3 lanes. Because this impact is the result of cumulative traffic increases in the Downtown, the City Transportation Division has assigned a fair share financial obligation to this project of \$25,000.
- 16th Street and J Street -The significant impact at this location can be mitigated by providing a northbound right turn lane from 4 to 6 p.m. This can be accomplished by prohibiting parking along the east curb of 16th Street from the mid-block alley to J Street. The operating conditions at this intersection shall be monitored by the City. Upon degradation of operations to less than LOS "C", the City shall implement this mitigation measure.

To ensure that peak period operations of intersections along 16th Street do not impact other intersections, the City shall implement appropriate traffic signal timing coordination plans along 16th Street to minimize such impacts while maintaining efficient traffic operations.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Department of Public Works, Transportation Division

Monitoring Program:

Prior to issuance of building permits, the Building Department shall verify that the Fair Share Contribution of \$25,000 for 3rd and J Street has been posted with the City.

The City of Sacramento shall periodically monitor conditions 16th and J Streets. When conditions warrant the improvements specified in the mitigation measures the City shall undertake the necessary improvements.

The City of Sacramento, Transportation Division shall monitor conditions at 13th and H Streets and shall develop a financing and implementation plan to install a traffic signal at this location.

Mitigation 6.2-5 Local Circulation

Prior to project approval, the project applicant will redesign the loading dock access to avoid maneuvering in the alley space, so as to not interfere with other traffic in the alley. If this mitigation measure is not feasible, the impact could be partially mitigated by prohibiting access of large vehicles to the loading dock during peak commuter periods (e.g. 7 to 9 am and 4 to 6 pm). NOTE: See Planning Conditions regarding signage,

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program: Prior to issuance of building permits, the Building Division shall verify the proposed project has been redesigned to the satisfaction of City Transportation Division or that a planning condition to limit deliveries to off peak hours has been adopted for the project. The project applicant shall bear the cost of signage and ancillary improvements necessary to limit the deliveries should that mitigation measure be chosen.

Mitigation 6.2-11 Construction Period Circulation and Parking Impacts

In accordance with normal City practice, the applicant shall prepare a construction mitigation plan acceptable to City Departments. In addition to normal City requirements regarding site access and traffic procedures, the Construction Mitigation Plan should address the following site specific issues:

1. Methods to eliminate conflicts between construction activities and vehicle access to and from the mid-block alley;
2. Coordination with the Convention Center management regarding Convention Center operations and the project construction schedule and staging areas to minimize disruptions to Convention Center operations;
3. The project applicant shall designate a construction coordinator who will be responsible for identifying appropriate parking sites for construction workers in the area and shall be responsible for disseminating information to employees to limit or prohibit parking in the residential areas during construction. The name and phone number of the Construction Coordinator shall be conspicuously posted on the project site to enable neighbors to contact the coordinator should parking problems in the

neighborhood arise. In addition, the City of Sacramento shall be responsible for enforcement of the Residential Preferential Parking Ordinance in this area to ensure consistent ticketing of violators of the ordinance.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Department of Public Works, Transportation Division

Monitoring Program: Prior to issuance of building permits, the Building Division shall verify that the project applicant has submitted a construction mitigation plan, approved by City Transportation Division. The Building Division, in consultation with City Transportation shall monitor the construction mitigation plan requirements during construction.

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AIR QUALITY

Mitigation 6.3-1 and 2 Ozone (Project Specific and Cumulative)

1. Provide information on the U.S. Postal Service's "Stamps on Call Program" (which provides delivery of postal products to the employees). The program is available at the nearest Local Delivery Unit of the Postal Service.
2. At a minimum, provide and maintain bicycle parking requirements in compliance with Section 6-G of the City's Zoning Ordinance.
3. Organize or participate in a Transportation Management Association (TMA) among the businesses within the proposed project area to assist the City's 35% trip reduction goal or join the Downtown TMA.
4. Provide and maintain a display that would be located in a central location of the proposed project that would list amenities within the proposed project and within a 1/2 of a mile of the project site for employees (e.g., food, cleaning, insurance, banking, childcare, and public transit).
5. Distribute on an annual basis to employees information regarding the above services. Provide new employees with information regarding the above prior to starting work so they will be aware of the services.
6. Hire or designate a Transportation Management Plan Coordinator to educate, market and manage transportation system management strategies. Provide employees with information regarding the relationship of ozone formation and vehicle trips to encourage each employee to make a conscientious contribution to reduction of air quality emissions, particularly during "ozone season."
7. Consider as part of the Transportation Management Plan for the project, methods to encourage alternative fuel and battery operated vehicles through reservation and retrofitting of parking spaces for electric cars.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Department of Public Works, Transportation Division

Monitoring Program: Prior to issuance of building permits, the Building Division shall verify that the developer has prepared a Developer's Transportation Management Plan (TMP) which has been reviewed and approved by the City Transportation Division. Prior to issuance of Notice of Occupancy, the Building Division shall verify that the an Employer Transportation Management Plan (TMP) which responds to the above mitigation measures has been prepared for the project.

Mitigation 6.3-3 Intersection Analysis for Carbon Monoxide (Project Specific and Cumulative)

1. Implement mitigation measure 6.3-1 to reduce total peak hour trips resulting from the project.
2. Implement the intersection improvement recommendations included in Chapter 6.2, Transportation, to reduce congestion at intersections.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Department of Public Works, Transportation Division

Monitoring Program:

See program for 6.2-1 and 6.3-1.

Mitigation 6.3-6 Particulate Matter (Traffic Generated PM-10)

Refer to Mitigation 6.3-1.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Department of Public Works, Transportation Division

Monitoring Program:

See program for 6.2-1 and 6.3-1.

Mitigation 6.3-7 Construction Dust and Particulate Matter

1. Apply non-toxic soil stabilizers or to all exposed and inactive construction areas which have been recently graded and are inactive for 10 days or more.

2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel or other construction debris.
3. Water active areas of the construction site twice daily to control wind borne dust.
4. Cover all truck beds hauling dirt, sand, soil, or other loose material to and from the construction site.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program:

The Building Division shall periodically monitor the site to ensure that the above mitigation measures are implemented. More intensive monitoring shall be performed during grading and excavating activities which generate more dust.

NOISE

Mitigation 6.4-3 Construction Noise

In addition to enforcement of the Noise Ordinance, the following additional noise mitigation measures are required:

1. Pre-drilling of starter holes for pile driving shall be required to reduce near surface vibration in the project site vicinity.
2. An eight foot construction site barrier of plywood or similar solid and continuous material should be constructed during major ground level and excavation construction activities.
3. Prior to start of pile driving activities, the developer or designated contractor shall notify property owners immediately adjacent to the project and sensitive receptors within a one block area (including the Sacramento Theater Company and residential uses at 14th and H Streets) of the site of the start of construction, the duration and the limitations on construction activities pursuant to the Noise Ordinance.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program: Prior to start of construction, the applicant shall submit information to the Building Division to verify that final construction documents require pre-drilling in accordance with Mitigation Measure 1. Prior to start of pile driving activities, the Building Division shall verify the Mitigation Measures 2 and 3 have been accomplished.

MICROCLIMATE

Mitigation 6.5-1 Light and Glare on Street and Roadways

Ensure the final design of the proposed project incorporates low reflectivity glass as specified in the development application which will reduce glare.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program: Prior to issuance of building permits, the applicant shall submit information to the Building Department verifying that the final plans include low reflectivity glass.

Mitigation 6.5-1 Light and Glare on Street and Roadways

Ensure the final design of the proposed project incorporates low reflectivity glass as specified in the development application which will reduce glare.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program: Prior to issuance of building permits, the applicant shall submit information to the Building Department verifying that the final plans include low reflectivity glass.

Mitigation 6.5-2 Light and Glare on Sidewalks

Ensure the proposed project uses landscaping, specifically street trees on the east, north, and west sides of the building to reduce solar glare at the pedestrian, street level of the project.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Neighborhood Services Department, Tree Services Division

Monitoring Program:

Compliance with Mitigation 6.1-3 (Street Trees) will ensure compliance with this mitigation. See monitoring program description for 6.1-3.

Mitigation 6.5-3 Wind Tunneling

Additional surface level wind baffling could be achieved with appropriately sited landscaping. Anchored or permanent tree planters staggered along the 13th and 14th Street frontages of the building would help to reduce wind generation at street level.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Neighborhood Services Department, Tree Services Division

Monitoring Program:

Compliance with Mitigation 6.1-3 (Street Trees) will ensure compliance with this mitigation. See monitoring program description for 6.1-3.

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Mitigation 6.6-3 Storm Water Runoff - Water Quality

1. The applicant shall comply with the City's adopted stormwater discharge program (BMP's) which ensures compliance with the CVRWQCB standards (and thus the Federal EPA standards) and the City's NPDES permit requirements.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Utilities Department, Engineering Services Division

Monitoring Program: Prior to issuance of building permits, the Building Division shall verify that the applicant has complied with the above mitigation measures to the satisfaction of the City Utilities Department.

Mitigation 6.6-4 Groundwater Discharge - Water Quality

1. In the event that pile driving activities or any other activity require dewatering of the site or groundwater discharge, the applicant shall provide evidence of an approved Groundwater Discharge Permit from the City Utility Department in accordance with City Council Resolution Number 92-439, and shall coordinate with the Regional Water Quality Control Board regarding discharges from or alterations to any contaminated water plumes in the project vicinity. Additionally, the applicant shall install a flow monitoring device to determine the project's daily flow and shall pay all appropriate sewer charges to treat the groundwater discharge and pay Connection Fees associated with the additional discharge.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Utilities Department, Engineering Services Division

Monitoring Program: The applicant shall provide information to the City Building Department regarding intended dewatering activities. In the event dewatering activities are required for pile driving, the applicant shall provide the Building Division with verification that all applicable City Utilities Department and RWQCB permits have been approved.

CULTURAL RESOURCES

Mitigation 6.7-1 and 2 Prehistoric Resources and Cultural Resources

1. A qualified archeologist shall be retained by the project sponsor to monitor all subsurface excavations during construction and to assess and record any subsurface artifacts or features that might be unearthed.
2. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work in the affected area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division

Monitoring Program: Prior to issuance of Building Permits, the applicant shall provide the City with the name and phone number of the archaeological monitor assigned to the site. The Building Inspector shall monitor any reports of the archeologist. In the event, artifacts are found, the applicant shall be responsible for stopping work in the vicinity of the archaeological find.

WASTEWATER AND WATER QUALITY

Mitigation 6.6-1 Wastewater

The applicant shall, in coordination with the City Utilities Department, prepare an engineering analysis of the proposed project using the Sacramento Stormwater Wastewater Management Model (SSWMM) to identify the location and extent of wastewater impacts to the system. Based on the analysis, the City Utility Department may require compliance with the following procedures to reduce impacts:

1. The applicant shall pay such lawful fees, taxes, or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessments districts, or other fair equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater/wastewater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation, which obligates the applicant to pay fair equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.
2. If the SSWMM analysis indicates that improvements are required for the project, the applicant shall provide the City Utility Department with a mitigation plan acceptable to the City or pay for the appropriate mitigation. The Plan may include on-site storage with retention or detention, sewer main upsizing, re-routing or replacement of pipes, connection to separated areas or other measures as appropriate to the site. Each individual project plan is to be negotiated with the City Utility Department.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development, Building Division
The City of Sacramento, Utilities Department, Water and Sewer Division

Monitoring Program: Prior to issuance of building permits, the Building Division shall verify that the applicant has complied with the above mitigation measures to the satisfaction of the City Utilities Department.

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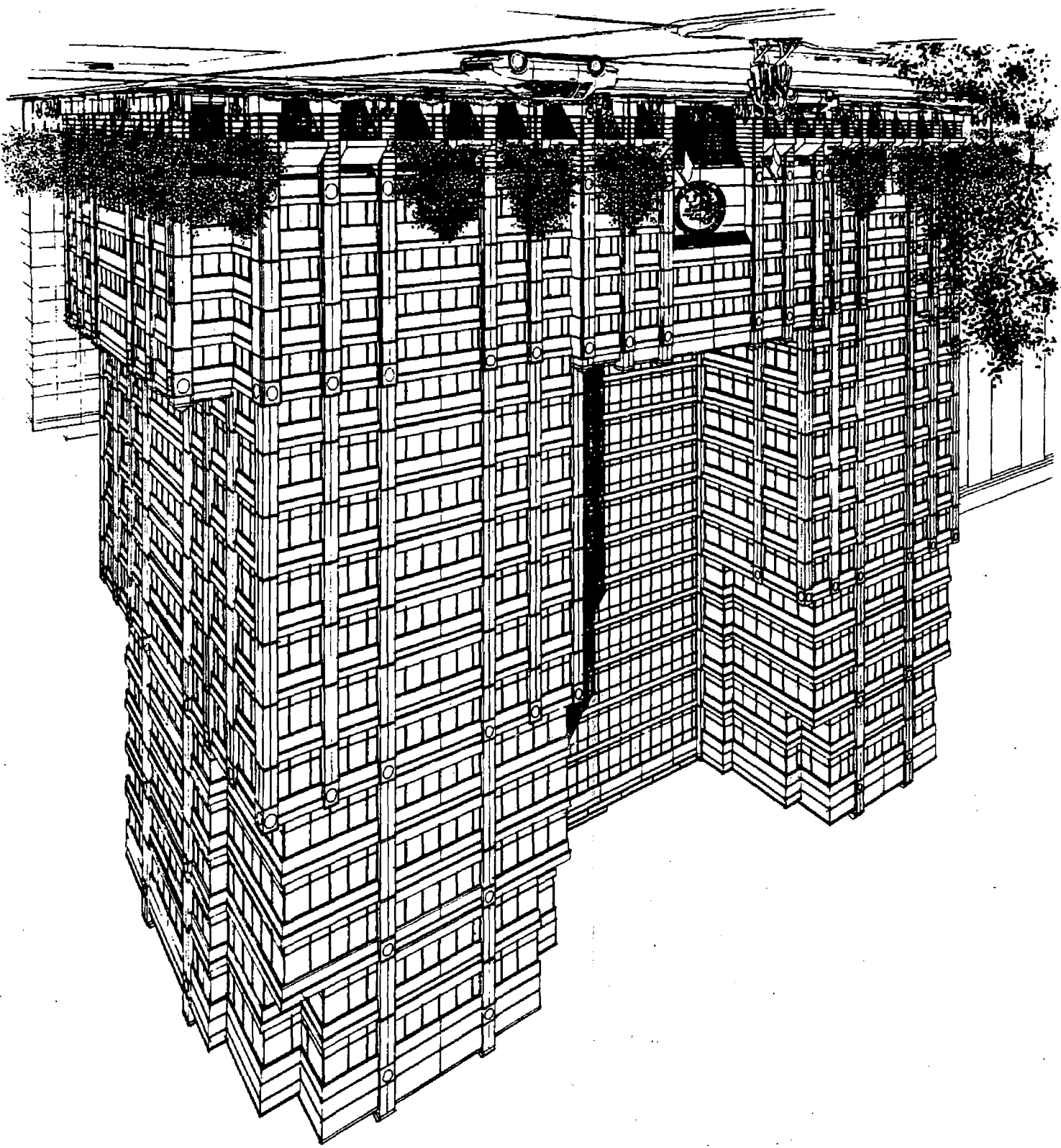
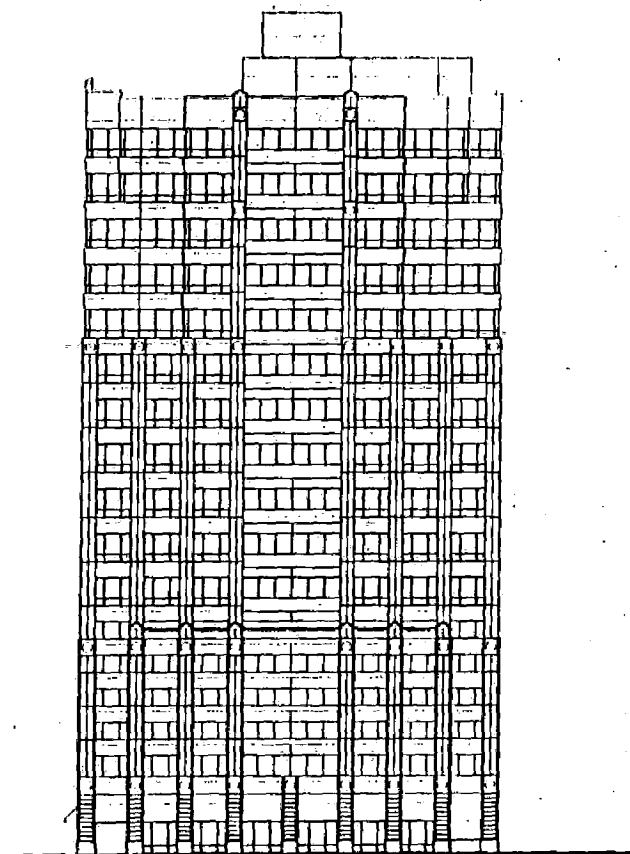


EXHIBIT A

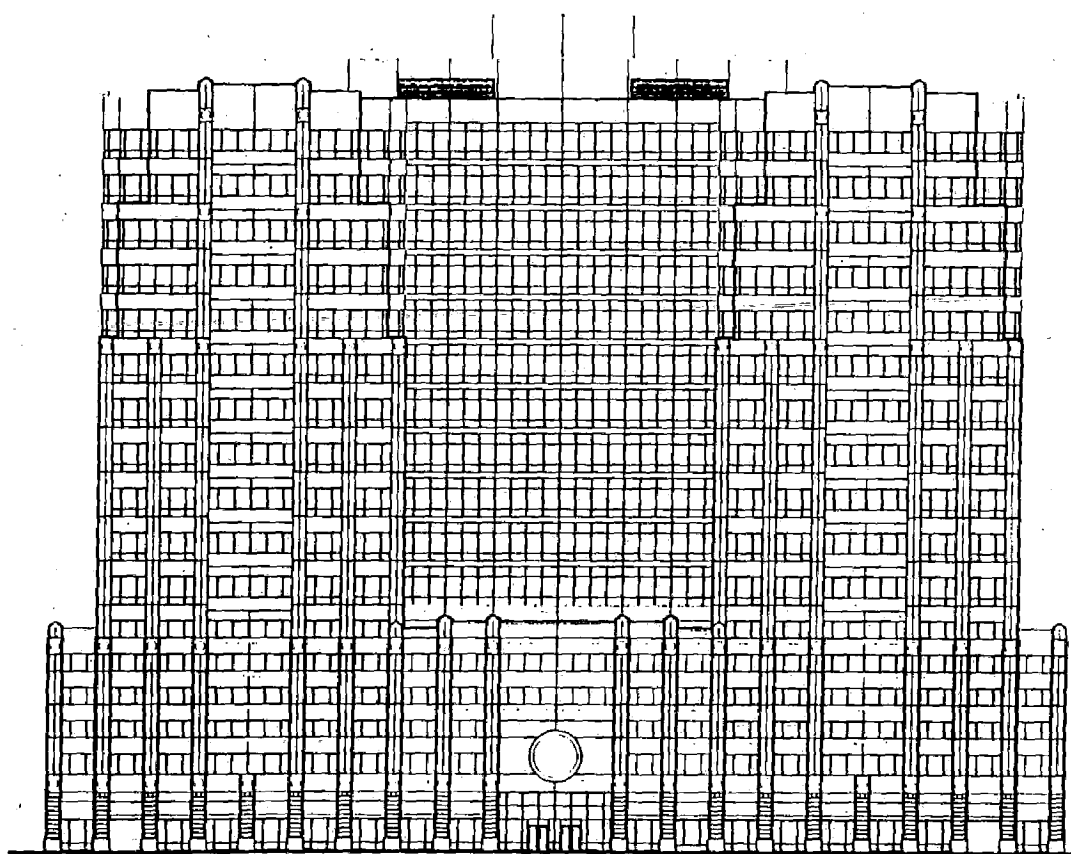
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WEST ELEVATION



NORTH ELEVATION

EXHIBIT B-1
ELEVATIONS

Opus Architecture & Engineering, Inc.
 400 Opus Center
 10000 Grand Island Drive
 Minneapolis, Minnesota 55438
 612-555-8888 FAX 612-555-8877

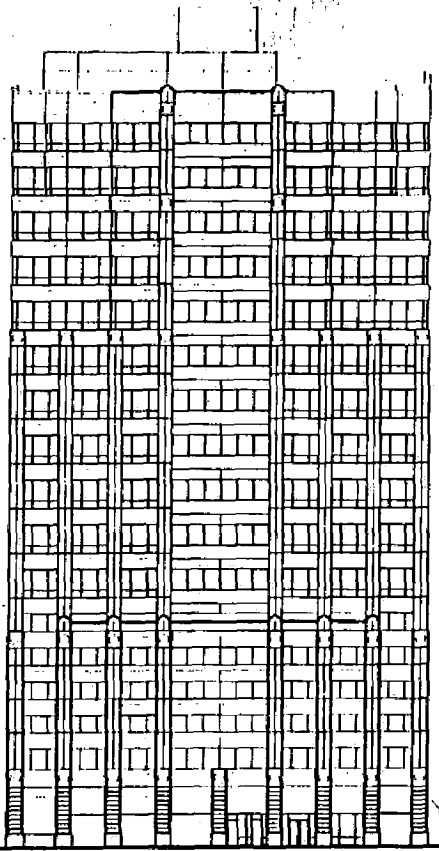


Project **13&I** 1300 I STREET
 SACRAMENTO, CALIFORNIA

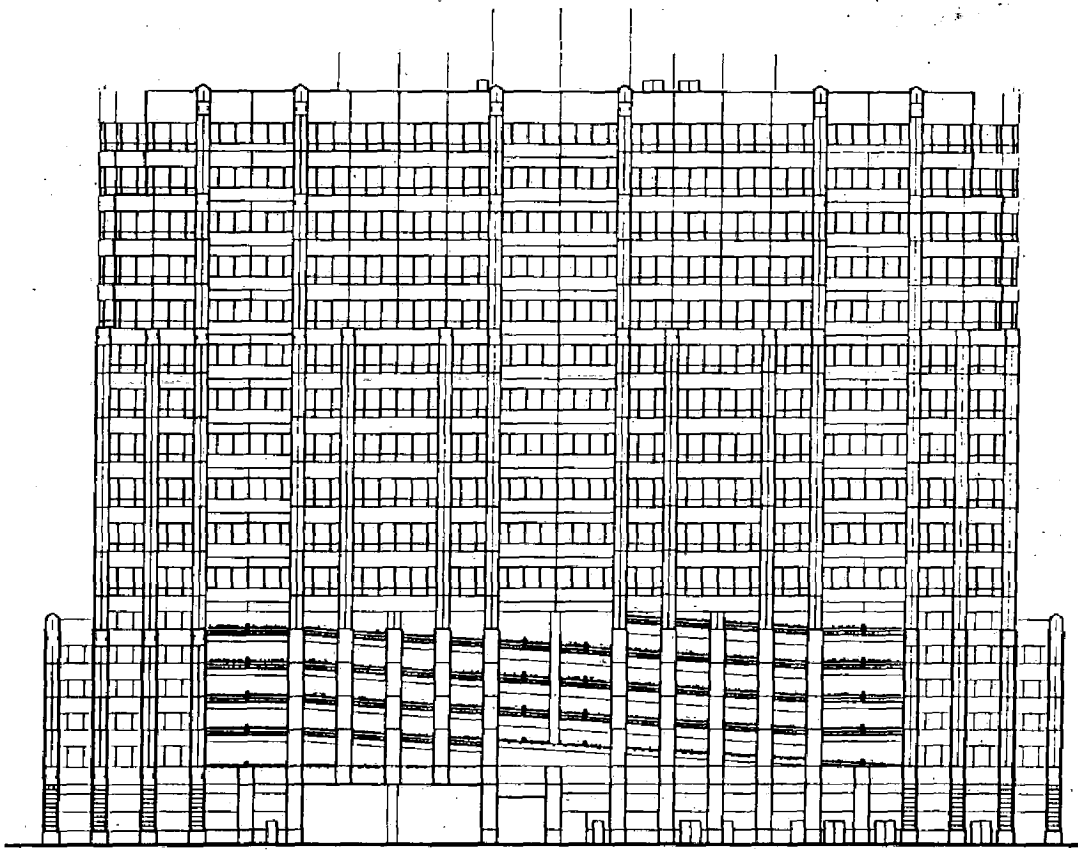
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EAST ELEVATION



SOUTH ELEVATION

EXHIBIT B-2
ELEVATIONS

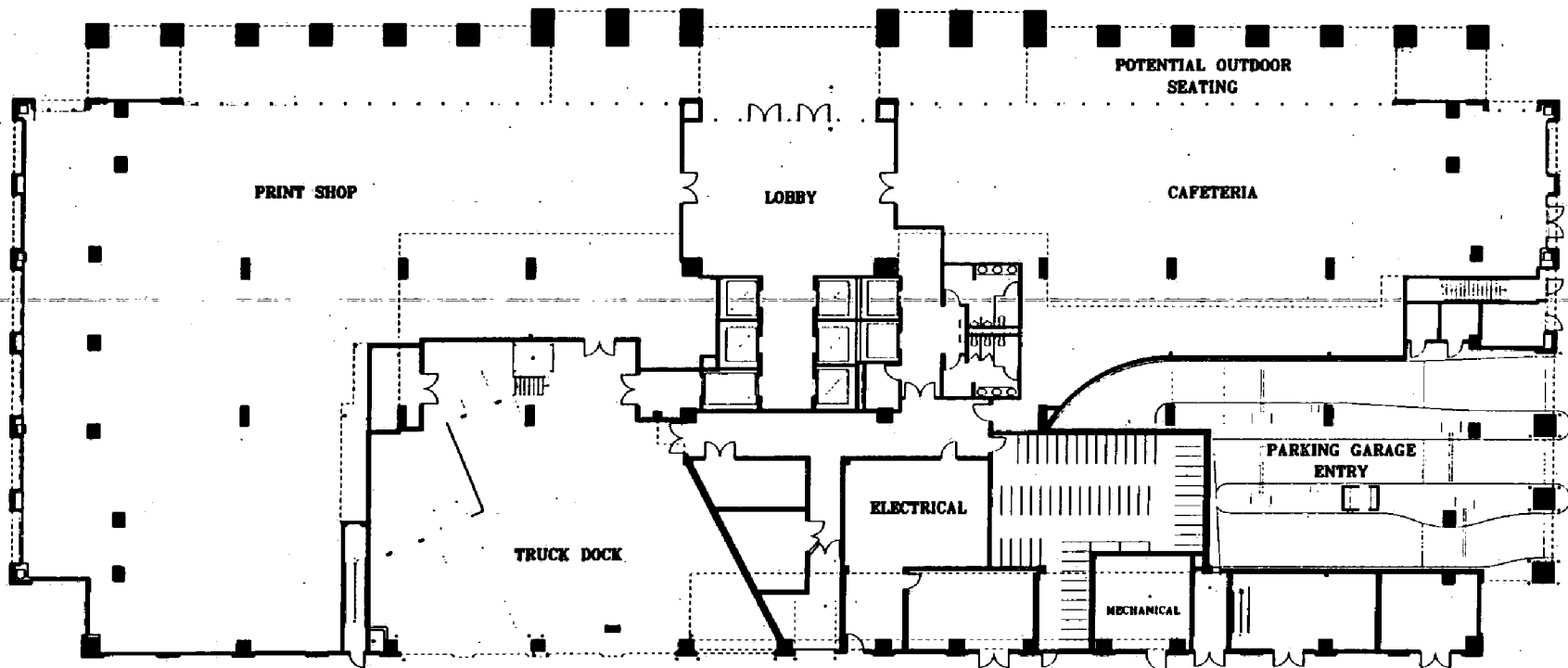
#6

Opus Architecture & Engineering, Inc.
 1940 Stock Exchange
 1940 Stock Exchange
 1940 Stock Exchange



Project 13&I 1300 I STREET
 SACRAMENTO, CALIFORNIA

Sheet No.



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EXHIBIT D-1
GROUND FLOOR
FLOOR PLANS

FLOOR PLAN - LEVEL 1

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OCT. 28, 1993

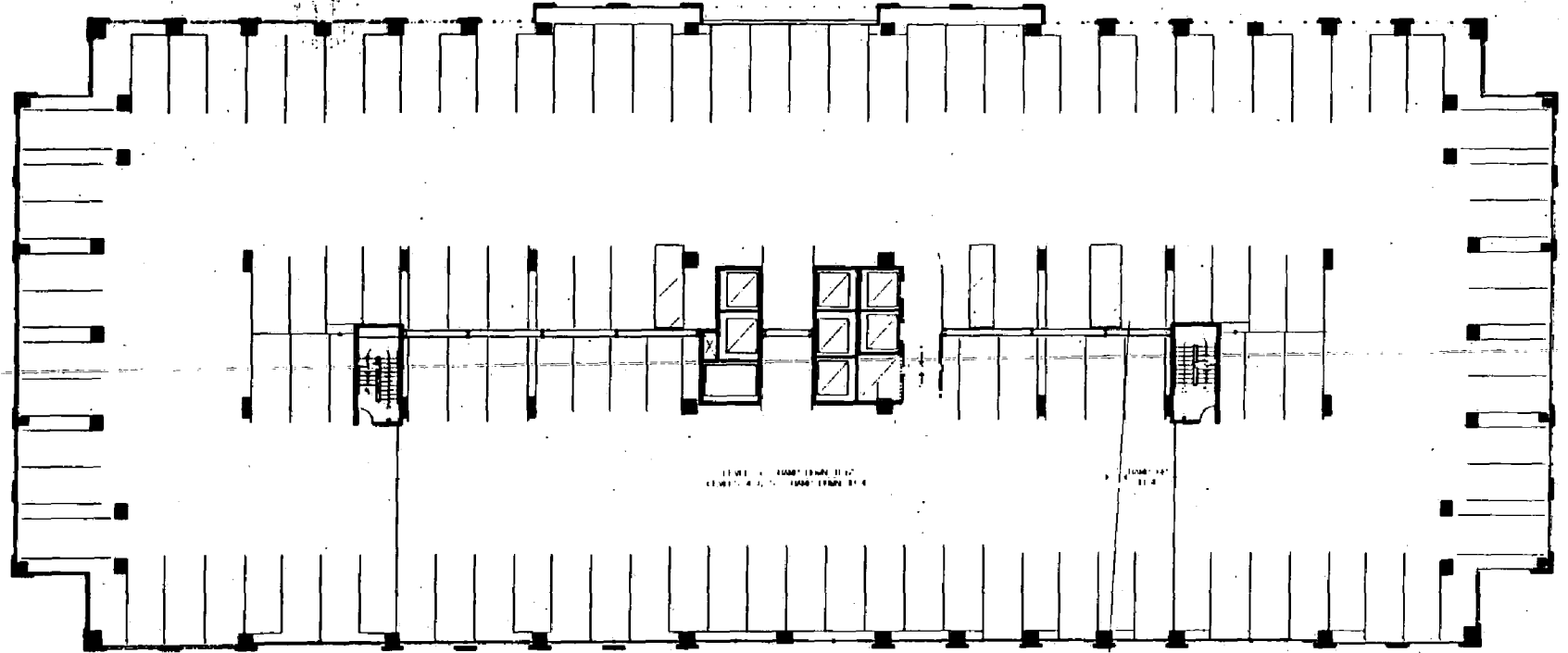


EXHIBIT D-2
PARKING LEVEL
FLOOD PLAN

FLOOR PLAN - TYPICAL PARKING LEVEL

#6

Opus Architecture & Engineering, Inc.
 1000 R Street, Suite 100
 Sacramento, California 95811
 Tel: (916) 441-1111



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 SACRAMENTO, CALIFORNIA

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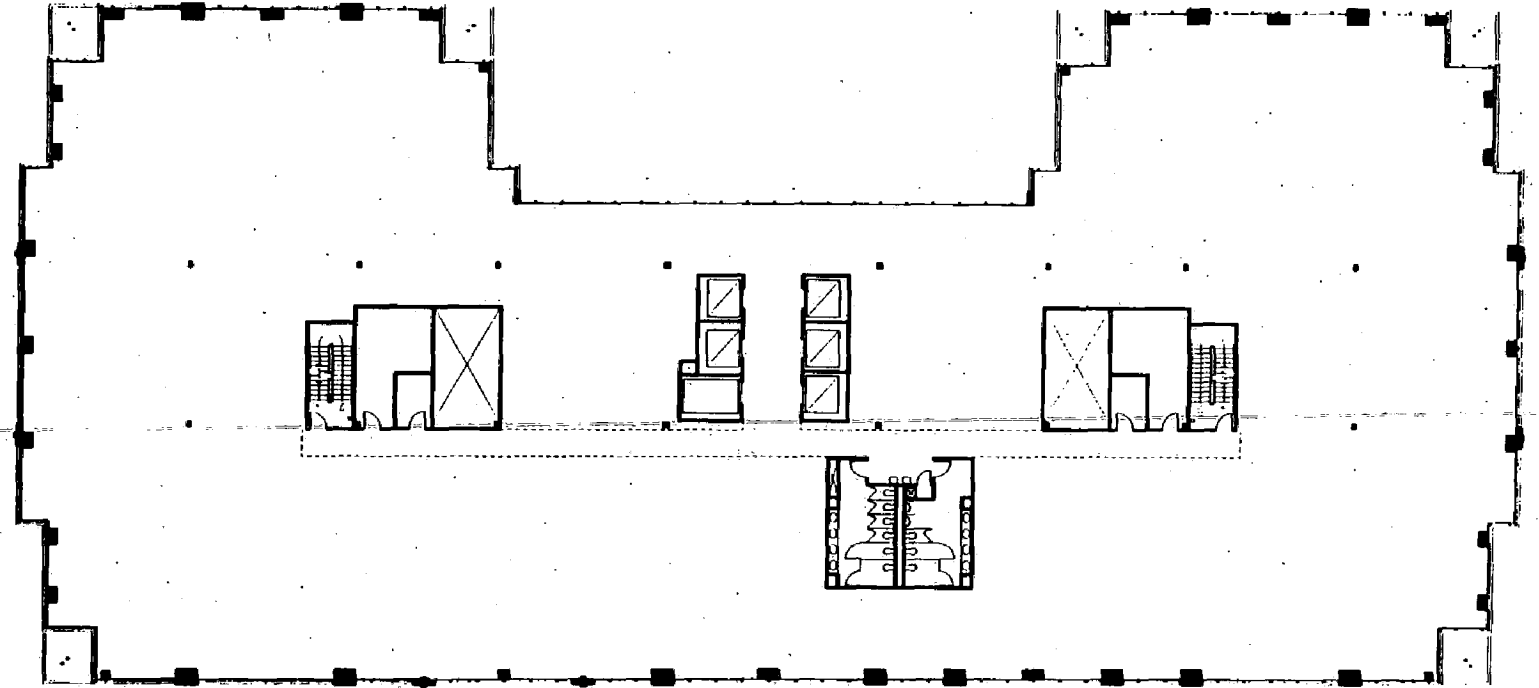


EXHIBIT D-3
TYPICAL OFFICE LEVEL
FLOOR PLAN

FLOOR PLAN - TYPICAL OFFICE LEVEL

Opus Architecture & Engineering, Inc.
 400 Opus Building
 1000 Broadway, Suite 1000
 Berkeley, California 94710
 415.863.1400



Project 13&I 1300 I STREET
 SACRAMENTO, CALIFORNIA

Date

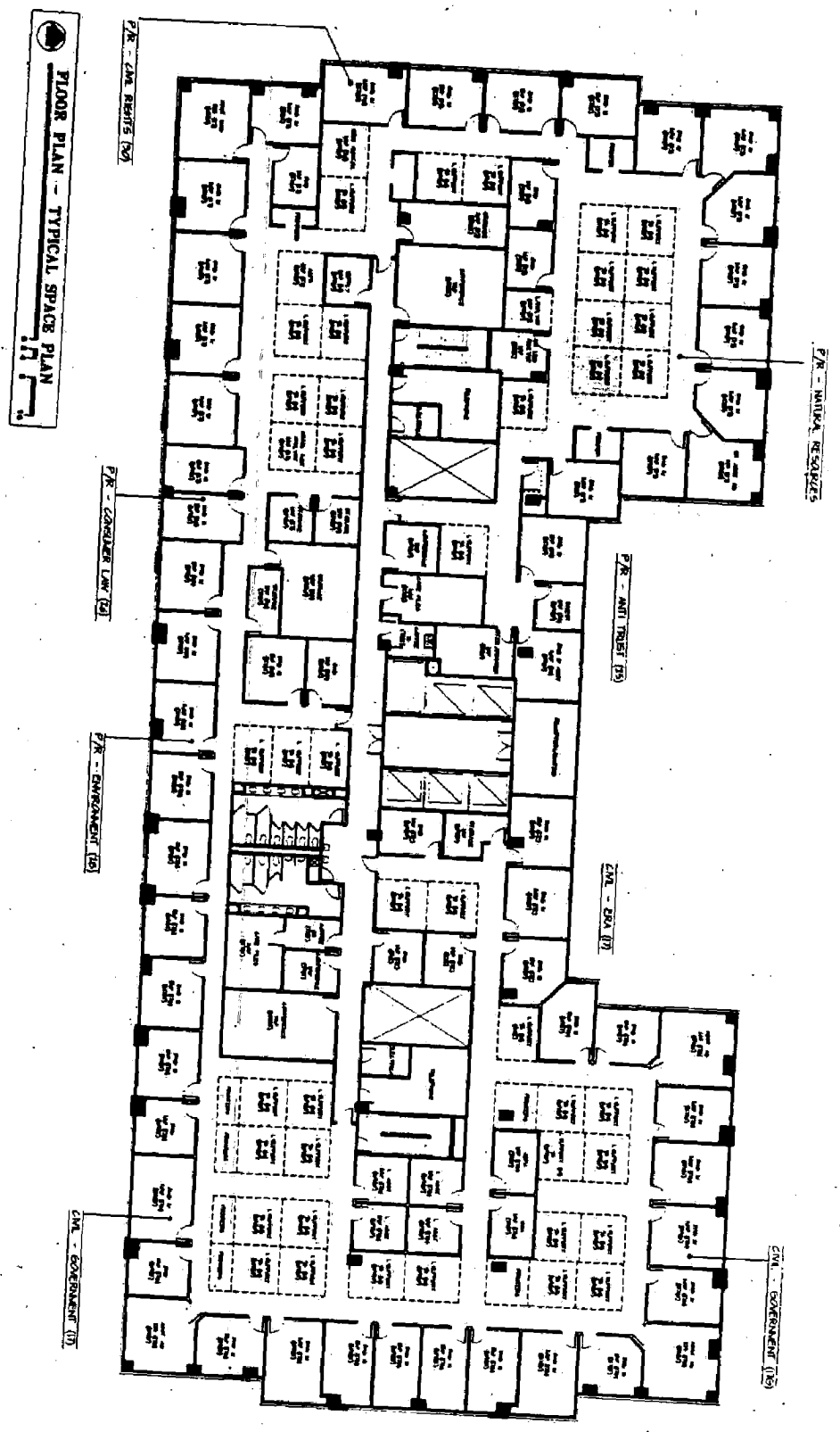


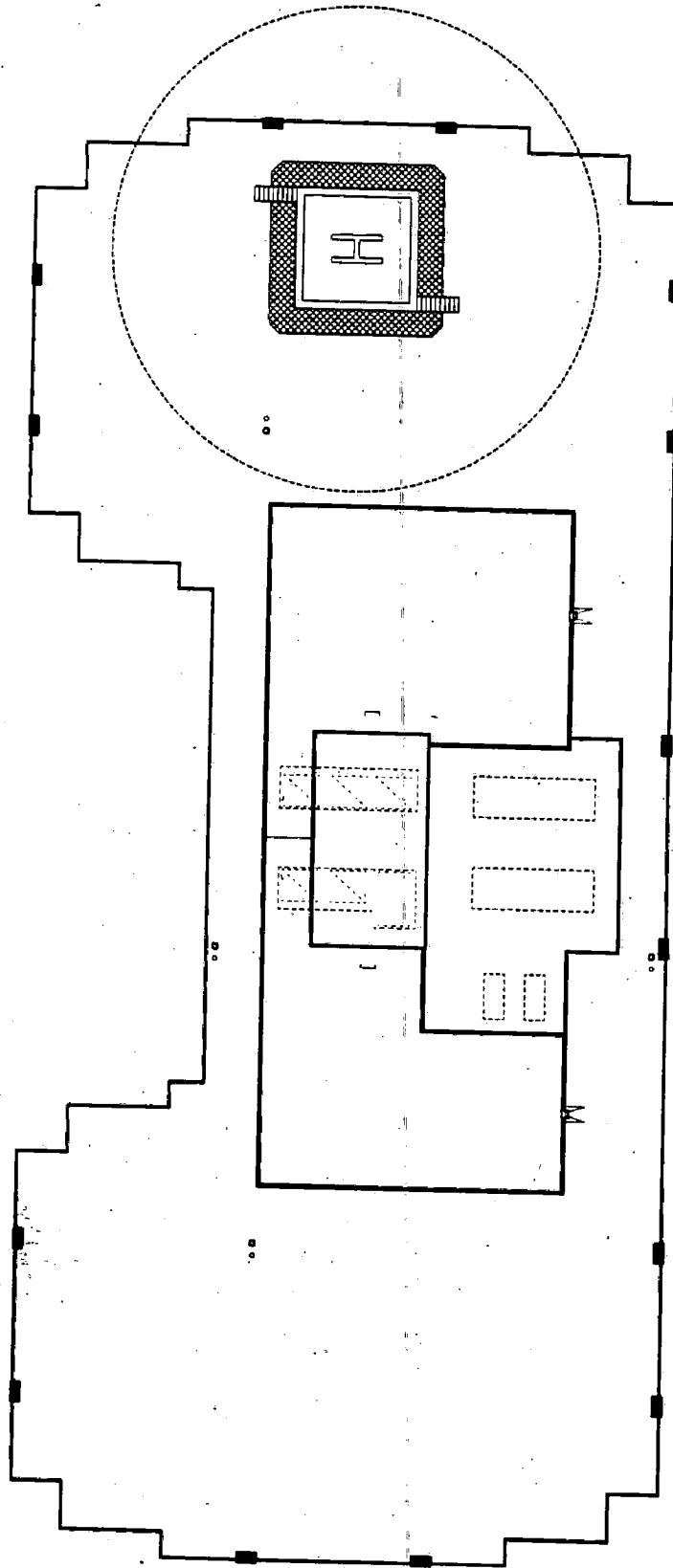
EXHIBIT D-4
SPACE PLAN
FLOOR PLAN

Opus Architecture & Engineering, Inc.
 702 Olive Center
 1000 Olive Center East
 Sacramento, California 95833
 917-536-4600 Fax 917-536-4029



IR&I 1300 I STREET
 SACRAMENTO, CALIFORNIA

EXHIBIT D-5
ROOF TOP



FLOOR PLAN - ROOF

PROJECT 13&I
1300 I STREET
SACRAMENTO, CALIFORNIA



OPUS
1000 N. BROADWAY, SUITE 1000
SAN FRANCISCO, CA 94103
TEL: 415.774.1000 FAX: 415.774.1001

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#6

EXHIBIT E
LOT LINE ADJUSTMENT

43

J

I

13th

ST.

14th

ST.

ST.

LINE TO BE DELETED
ST.

LINE TO BE DELETED
LINE TO BE DELETED

1
2
3
4

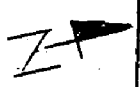


Exhibit F

Lot Line Merger Description

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF
SACRAMENTO, COUNTY OF SACRAMENTO LOCATED BETWEEN 13TH AND
14TH STREETS, BETWEEN I AND THE ALLEY BETWEEN I AND J STREETS

(consolidation of APN's 006-0054-007, 008, 016 and 019)

193-087

OCT. 28, 1993

#6