

AMENDED  
**RESOLUTION NO. 2001-021**

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF APR 10 2001

**ADOPTING THE FINDINGS OF FACT AND STATEMENT  
OF OVERRIDING CONSIDERATIONS FOR ENVIRONMENTAL  
EFFECTS OF THE METRO PLACE PROJECT  
AND ADOPTION OF A MITIGATION MONITORING PLAN FOR THE  
METRO PLACE PROJECT**

WHEREAS, an Environmental Impact Report (the "EIR") on the Metro Place Office/Residential Project (the "Project") has been prepared by the Redevelopment Agency of the City of Sacramento (the "Agency") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et. seq.*, hereinafter "CEQA") and the administrative guidelines thereunder (14 Cal. Adm. Code Section 150000 *et. seq.*, hereinafter the "CEQA Guidelines") and local procedures adopted by the Agency pursuant thereto; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft EIR was published in a newspaper of general circulation; and

WHEREAS, the Final EIR consisting of the Draft EIR, Errata, and Final EIR – Responses to Comments was revised and supplemented, incorporating all comments received and the responses of the Agency thereto was certified as adequate, complete and appropriate on April 10, 2001; and

WHEREAS, notice having been duly given, a joint public hearing has been held on the Project on April 10, 2001 by the Redevelopment Agency, as lead agency, and the City of Council of the City of Sacramento, as responsible agency, and all interested persons present having been heard, and said Final EIR and all comments and responses thereto having been reviewed and considered; now therefore,

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1: The above statements are true and correct.

Section 2: The Agency has certified the Final EIR and considered the environmental impacts of the Project.

Section 3: The Agency hereby makes the written findings set forth in Findings of Fact and Statement of Overriding Considerations incorporated herein by reference as Exhibit 1, for each of the significant impacts set forth in said document, and further approves the statement of facts in said document. Based on such findings and statement of facts, the Agency hereby finds that significant environmental impacts have been reduced to an acceptable level in that all significant environmental impacts have been eliminated or substantially reduced, except that the

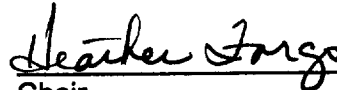
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Section 7: Upon approval and adoption of the Project by the Redevelopment Agency, Agency staff is hereby directed to file a Notice of Determination with the County Clerk of Sacramento County pursuant to the provisions of Section 15096 (i) of the State CEQA Guidelines.

Section 8: The Agency hereby adopts the Mitigation Monitoring Program for the Metro Place Office/Residential Project, incorporated herein by reference as Exhibit 2, and imposes as a condition of project approval the mitigation measures identified therein, and finds that the implementation of the measures will reduce the identified impacts to a less than significant level or reduce the magnitude of identified significant impacts.

  
Chair

  
Secretary

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implementation of the Project could result in increased traffic at the 3<sup>rd</sup> & J Street intersection, increased emissions and noise levels during construction, new large-scale shadow effects on Cesar E. Chavez Plaza, winds that exceed pedestrian comfort levels, continuing wind hazard conditions, increased flows to combined sewer system flows and alteration of an historic structure. Based on the foregoing, the Agency finds and determines that the Project will have a significant impact upon the environment.

Section 4: Furthermore, the Agency finds that the No Project, In-Situ Preservation, Reduced Office and Mixed-Use Increased Housing/Office alternatives are infeasible based upon specific economic, social, or other considerations, as stated in Exhibit 1.

Section 5: As to the significant environmental impacts identified in Section 3 of this resolution, which are not eliminated or substantially reduced, the Agency hereby adopts the following statement of overriding considerations:

The Agency hereby finds that, based on the findings and statement of facts set forth in Findings of Fact and Statement of Overriding Considerations (Exhibit 2), and based on the Final EIR and /or other information contained in the record, its action to approve and carry out the Project is supported because the benefits of the project outweigh each and every one of the project's environmental impacts which will not be mitigated to a level of insignificance by: (a) eliminating blighting influences and correcting environmental deficiencies in the Merged Downtown Sacramento Redevelopment Project Area, including among others, obsolete and aged building types, and inadequate or deteriorated infrastructure and facilities; (b) helping achieve the Agency's goals to maintain and strengthen downtown's role as a major regional office, retail, commercial and governmental center; (c) supporting the public investment in the transit system by developing intense office and residential uses within close proximity to light rail stations and transit corridors; (d) assuring the preservation of a significant historic feature and providing public improvements, historic interpretive displays and artwork to enhance the attractiveness of the area; (e) providing physical improvements to the site and area that will be an asset to the character of the downtown area and enhancing the visual and pedestrian connection to the civic area and the K Street Mall; (f) providing public amenities in support of the Downtown Cultural and Entertainment District Master Plan; (g) helping alleviate the existing parking deficit in the K Street Mall and civic center area; (h) providing for an efficient and financially beneficial use of underutilized commercial properties by constructing a building that will provide long term employment and housing opportunities in the City of Sacramento; (j) increasing commercial use in the downtown area and increase employment and housing adjacent to the K Street Mall, the revitalization of which is a priority of the City; (k) strengthening the economic base of the Project Area and the community by installing needed site improvements that will stimulate new commercial expansion, new employment and economic growth; (l) providing increased sales, business license and other fees, taxes and revenues to the City of Sacramento and will enhance the value of neighboring properties and the Project Area as a whole.

Section 6: In the event that it is determined that the significant impacts identified in Section 3 are not mitigated or substantially lessened, the Agency hereby finds that based on the Final EIR and/or other information contained in the record, its action to approve or carry out the Project is supported for the reasons specified in Section 5 of this Resolution.

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Exhibit 1

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

**FOR**

**METRO PLACE OFFICE/RESIDENTIAL PROJECT  
9TH AND J STREETS  
SACRAMENTO, CALIFORNIA**

(State Clearinghouse Number 2000052075)

Prepared By:

Gail Ervin Consulting  
for the  
Economic Development Department  
Downtown Development Group

March 26, 2001

RESOLUTION NO. **2001-021**  
**APR 10 2001**



**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF  
SACRAMENTO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE PROPOSED METRO PLACE OFFICE/RESIDENTIAL PROJECT**

The Redevelopment Agency of the City of Sacramento ("Agency") does hereby find, determine, and resolve as follows:

**I. CEQA FINDINGS**

1. The Agency finds that the Environmental Impact Report for the proposed Metro Place Office/Residential Project (herein EIR) which consists of the Draft EIR, Errata and Final EIR - Response to Comments has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The Agency certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
3. The Agency certifies that the EIR has been presented to it and that the Agency has reviewed it and considered the information contained therein prior to acting on the proposed project.
4. Pursuant to CEQA Guidelines Section 15093, and in support of its approval of the Metro Place Office/Residential Project, the Agency hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented.

**II. PROCEDURAL FINDINGS**

1. The Agency caused an Environmental Impact Report ("EIR") on the 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.
2. A Notice of Preparation of the Draft EIR was filed with the Office of Planning and Research on May 16, 2000.
3. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on December 28, 2000 to those public agencies which have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.

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4. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. The public review period began on January 2, 2001, and ended on February 15, 2001.
5. A Notice of Availability was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on December 28, 2000 for the Draft EIR. The Notice of Availability stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Department of Neighborhoods, Planning and Development Services, 1231 I Street, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on February 16, 2001.
6. A public notice was placed in the Daily Recorder on January 2, 2001, which stated that the Metro Place Project Draft EIR was available for public review and comment.
7. A public notice was posted with the Sacramento County Clerk/Recorder's Office on December 28, 2000.
8. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the City's responses to said comments, including additional information included in the Final EIR.
9. Public hearings to review the project design and to consider the adequacy of the DEIR were held by the Design Review Preservation Board on November 15, 2000 and February 21, 2001, and by the City Planning Commission on January 18, 2001. Comments on the adequacy of the DEIR were only provided at the Design Review Preservation Board on February 21, 2001.
10. 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 EIR and comments and responses thereto having been considered, the Agency makes the following determinations:
  - A. The EIR consists of the Draft EIR, Errata and Final EIR - Responses to Comments.
  - B. The EIR was prepared and completed in compliance with CEQA.
  - C. The EIR has been presented to the Agency which reviewed and considered the information therein prior to acting on the Metro Place Project proposal.
10. The following information is incorporated by reference and made part of the record supporting these findings:

- A. The Draft and Final EIR and all documents relied upon or incorporated by reference including:
1. *Air Quality Thresholds of Significance*, Sacramento Metropolitan Air Quality Management District, 1994, First Edition.
  2. *California Environmental Protection Agency (Cal/EPA) Office Building, Draft Environmental Impact Report*, City of Sacramento, January 1998.
  3. *Capitol View Protection Ordinance*, City of Sacramento, February 1992.
  4. *City of Sacramento General Plan*, City of Sacramento, January 19, 1988.
  5. *City of Sacramento Zoning Code*, City of Sacramento.
  6. *Downtown Cultural and Entertainment District Master Plan*, Sacramento Housing and Redevelopment Agency and Department of Planning and Development, City of Sacramento, May 22, 1990.
  7. *Draft and Final Environmental Impact Report, City of Sacramento General Plan*, City of Sacramento, Draft EIR is dated March 2, 1987 and Final EIR is dated September 30, 1987.
  8. *Draft Downtown Parking Study*, City of Sacramento, March 1996.
  9. *Draft Environmental Impact Report, Land Use Planning Policy Within the 100-Year Floodplain in the City and County Of Sacramento*, City of Sacramento, September 18, 1989.
  10. *East End Office Complex, Capitol Area, Sacramento, California, Blocks 171 Through 174 and 225, Tiered Draft Environmental Impact Report*, State of California Department of General Services, Real Estate Services Division, September 1998.
  11. *8<sup>th</sup> and J Streets Office Tower, Final Environmental Impact Report*, Redevelopment Agency of the City of Sacramento, May 1994.
  12. *Esquire Plaza Hotel Project, Draft Environmental Impact Report*, Sacramento Housing and Redevelopment Agency, June 1998.
  13. *Implementation Plan for the Merged Downtown Sacramento Redevelopment Project Area*. Redevelopment Agency of the City of Sacramento. February 2000.
  14. *Lot C Parking Structure, Draft Environmental Impact Report*, City of Sacramento, February 2000.
  15. *"Official Listing of Structures and Preservation Areas with Architectural or Historical Significance."* City of Sacramento, October 1998.
  16. *Recommended Housing Strategy for the Central City*, Sacramento Housing and Redevelopment Agency and City of Sacramento Department of Planning and Development, May 1991.



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17. *Sacramento Central City Community Plan*, City of Sacramento, May 15, 1980.
  18. *Sacramento Urban Design Plan, Central Business District Urban Design Framework Plan*. Sacramento Housing and Redevelopment Agency. Adopted February 18, 1987.
  19. *2005 Downtown Sacramento Redevelopment Strategy*. Redevelopment Agency of the City of Sacramento. February 2000.
- B. The Mitigation Monitoring Plan dated March 26, 2001.
- C. Testimony, documentary evidence and all correspondence submitted or delivered to the City in connection with the Agency hearing on this project and associated EIR.
- D. 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 Draft and Final Environmental Impact Report for the City of Sacramento General Plan Update.

**FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE  
PROPOSED METRO PLACE OFFICE/RESIDENTIAL PROJECT**

The Environmental Impact Report for the Metro Place Office/Residential Project proposal, prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts that could result from adoption of the project or alternatives to the project.

The proposed Metro Place Office/Residential Project consists of approval of a Disposition and Development Agreement and Design Review for a landmark high-rise office and residential building, with 33 floors of development rising up to 435 feet to the top of the mechanical penthouse, ground floor retail and parking. The project would provide up to 272,000 square feet (s.f.) office space, 120 residential units, approximately 22,950 s.f. street level retail, and 1,044 parking spaces. Of the 1,044 spaces, 250 parking spaces would be financed by the City to support retail, office and entertainment activities downtown by providing additional parking for periods of peak visitor activity, such as during major downtown events. Parking ingress and egress would be from 8<sup>th</sup> Street, with 79 parking spaces and loading accessed off the alley. Access to the residential units would be provided from an internal porte-cochere on J Street. The Batchelder tile façade on the existing historic Coolot (Comstock) building would be moved or reconstructed into the lobby, the building demolished, and the basement barrel vaulted arches under the sidewalks would be highlighted in an historic display.

Because the EIR indicates the implementation of the project (or project alternatives) would result in certain unavoidable adverse impacts, the Agency is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts for the project to be approved. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of implementing the Metro Place project. The potentially significant or significant impacts that cannot be mitigated to a less-than-significant level are considered acceptable by the Agency based on a determination that the benefits of the Metro Place Office/Residential project (listed in the Statement of Overriding Considerations, Section IV) 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 Agency finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental impacts listed below, as identified in the EIR.

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

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*Findings of Fact*

**1) Impact 6.2.2 Local Vehicular Circulation - Loading Dock (DEIR page 6.2-29).**

**a. Significant Impact**

The current design of the loading dock access would utilize the alley as the maneuvering area for trucks backing into the loading dock. These backing vehicles would conflict with other traffic in the alley, including vehicles accessing the underground parking garage.

**b. Facts in Support of Finding**

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

6.2.2 Since the (proposed) loading docks are located adjacent the alley, there is limited space for delivery trucks to maneuver into the bays. The applicant shall obtain agreement with the City regarding implementation of safety and traffic control measures for the project loading dock; access to the loading docks via the alley and hours of delivery shall be to the satisfaction of City of Sacramento, Public Works.

**2) Impact 6.2.3 Local Vehicular Circulation - Parking Structure Access (DEIR page 6.2-30).**

**a. Significant Impact**

The proposed design will provide access to the parking structure via 8<sup>th</sup> Street. A queuing analysis for inbound and outbound traffic showed that a.m. inbound traffic will have 5 vehicles queued to enter the parking structure. Three of these vehicles will be queued on 8<sup>th</sup> Street.

**b. Facts in Support of Finding**

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

6.2.3a The parking structure entrance should be designed with adequate entry lanes, queuing space and ticket kiosks to avoid queuing on City streets with a 95 percent probability during the peak hours on a typical day.

6.2.3b The parking structure should be designed to allow three vehicles to queue inside the structure. This will reduce the number of vehicles on the street to two vehicles. Parking along 8<sup>th</sup> Street near the garage entrance should not be allowed. A right turn lane (to allow for stacking of two vehicles at a minimum) into the parking structure should be striped in lieu of the parking lane. This will provide a dedicated lane for vehicles to queue prior to entering the parking structure.

3) **Impact 6.2.5 Construction Impacts (DEIR page 6.2-32).**a. Significant Impact

Construction of the proposed project could result in disruption to the normal operations of the City street system, especially the 8<sup>th</sup> Street, 9<sup>th</sup> Street and J Street corridors, as a result of street and /or lane closures and other effects on roadway capacity. Blockage of travel lanes would result in substantial traffic congestion in the downtown area, since there would be insufficient roadway capacity to accommodate traffic demands.

b. Facts in Support of Finding

Construction staging for the project will be within the limits of the property (Owyang, 2000). However, to accommodate the delivery of materials to the site, as well as provide an area for a mobile crane, a portion of one of the streets should be utilized as a loading zone / staging area. The proposed staging area should be along 9<sup>th</sup> Street based on the baseline traffic volumes around the site. The City requires that a construction traffic management plan be prepared prior to begin of construction. This plan will provide for access points to the construction site, times for delivery of materials, and traffic control plans along the streets affected by construction. The construction management plans will also address pedestrian and bicycle access around the construction site.

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.2.5 For temporary lane closures or other traffic impedence that are anticipated during construction, a construction traffic management plan shall be prepared by the applicant to the satisfaction of Public Works, City of Sacramento. This plan shall be submitted with ample time for the review process (typically 8 weeks). This plan shall maintain all open travel lanes on streets and mitigate pedestrian safety concerns throughout the construction period.

4) **Impact 6.2.6 Intersections (Cumulative) (DEIR page 6.2-36).**a. Significant Impact

Traffic generated by the proposed project would contribute to *significant cumulative traffic impacts* at the following intersections:

- 5th and I Streets during the p.m. peak hour
- 7th and I Streets during the p.m. peak hour.

Five intersections will operate at LOS "D" or worse. These include the following intersections: 3<sup>rd</sup> Street/J Street, 5<sup>th</sup> Street/I Street, 7<sup>th</sup> Street/I Street, 3<sup>rd</sup> Street/L Street and

**FINDINGS AND OVERRIDES**

*Findings of Fact*

3<sup>rd</sup> Street/P Street. Of these intersections, the 5<sup>th</sup> Street/I Street and 7<sup>th</sup> Street/I Street intersections will degrade to unacceptable Levels of Service based on the City's Level of Service policy. The remaining three intersections do not experience an increase of vehicle delay of greater than 5 seconds. All other intersections will continue to operate at LOS "C" or better. The 3<sup>rd</sup> Street/J Street intersection will see an improvement in average delay. This is due to reallocating the green time for each signal phase to accommodate a more equal volume entering the intersection. The result is that the signal is more evenly timed with an overall decreased average intersection delay

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

6.2.6a *5<sup>th</sup> and I Streets intersection*: On the westbound I Street approach, add a fourth through lane. This would only be needed during the peak p.m. hours, between 4 p.m. and 6 p.m. This will require elimination of curbside parking and will improve the level of service to 'C'.

The addition of a fourth through lane will require removal of parking along the block and further downstream to the 3<sup>rd</sup> Street intersection. In addition, the existing left turn island at the 3<sup>rd</sup> Street/I Street intersection will have to be modified to accommodate dual left turns onto 3<sup>rd</sup> Street.

6.2.6b *7<sup>th</sup> and I Streets intersection*: The traffic signal timing will need to be double cycled to a 100-second cycle. This mitigation will only be necessary during the peak p.m. hours, between 4 p.m. and 6 p.m. This will improve the level of service to 'C'.

5) **Impact 6.3.1, Construction - Grading Emissions (DEIR page 6.3-10).**

a. Significant Impact

Phase I construction emissions would generate PM<sub>10</sub>, NO<sub>x</sub>, and ROG<sub>s</sub>, thereby adding to ambient PM<sub>10</sub> and O<sub>3</sub> concentrations. Phase I grading activities would generate an estimated 73.2 lbs./day of PM<sub>10</sub>, 1.9 lbs./day NO<sub>x</sub>, and an estimated .3 lbs./day of ROG. No single constituent would exceed the individual significance threshold set by the SMAQMD. However, any contribution of ozone precursors in a severe non-attainment area is *potentially significant*.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.3.1a To reduce construction-related emissions of CO, ROG and NO<sub>x</sub>, the following measures shall be implemented:
- 1) Phase construction activities to reduce simultaneous operation of construction equipment and thereby minimize emissions.
  - 2) Routinely tune and maintain construction vehicles and equipment.
  - 3) Use low sulfur fuel.
  - 4) Use existing power sources (e.g., electric-powered equipment) or clean fuel generators instead of temporary onsite power generators.
  - 5) Use low emission mobile construction equipment as available, feasible and appropriate.
- 6.3.1b Strict compliance with the Sacramento City Code Section 15.40.050 and the SMAQMD's Rule 403 shall be written into construction contracts including a provision requiring demolition or excavation to cease when winds exceed 20 mph averaged over one hour.
- 6.3.1c The following dust abatement program is required to ensure compliance with SCC requirements:
- 1) Water all construction areas at least twice daily;
  - 2) Wash dirt off construction vehicles and equipment within the staging area prior to leaving the construction site;
  - 3) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer);
  - 4) Pave, apply water three times daily, or apply (non-stick) soil stabilizers on all unpaved access roads, parking areas and staging areas; and
  - 5) Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas.

6) **Impact 6.4.2 Traffic Generated Noise (Cumulative) (DEIR page 6.4-10).**

a. Significant Impact

Operation of the proposed project would add additional vehicle trips to local downtown surface streets in the vicinity of the project. Noise changes associated with these additional vehicle trips on local downtown surface streets would not be discernible to most people. However, ambient noise levels could reach conditionally unacceptable levels for residential uses.

**FINDINGS AND OVERRIDES**

*Findings of Fact*

b. Facts in Support of Finding

The Health and Safety Element establishes noise exposure standards for different land uses. The normally acceptable exterior noise level for residential uses is 60 dB, Ldn or less, with a conditionally acceptable range up to 70 dB, Ldn or less. Based on noise estimates for J Street identified in the SGPU, future plus project traffic volumes on J Street will result in noise levels in the normally unacceptable range for residential uses at a normalized distance of 75 feet from the center of the roadway.

The first level of residential units is nearly 300 feet above the street level. Using the US Department of Housing and Urban Development Noise Assessment Guidelines, this distance is sufficient to move the residential area into the conditionally acceptable range. In addition, stationary point sources of noise including stationary mobile sources such as idling vehicles, attenuate (lessen) at a rate of 6 to 9 dBA per doubling of distance from the source, depending on environmental conditions. The noise attenuation at 300 feet would be sufficient to reduce stationary noise levels to within the acceptable to conditionally acceptable range. Delivery trucks and activities for existing and proposed uses on the alley between 8<sup>th</sup> and 9<sup>th</sup> streets access their respective buildings through interior loading docks. Truck and other vehicular noise on the alley is not anticipated to be significant for residents because of the distance to the residential units.

Modern construction methods typically provide a 25 dBA reduction between exterior and interior noise, which would normally reduce interior noise levels to less than 45 dBA without mitigation. However, in the conditionally acceptable range, an acoustical assessment would be required to ensure that interior dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels.

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

- 6.4.2 Prior to construction, the applicant shall provide an acoustical analysis to ensure existing construction methods are adequate to insure interior dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels. If necessary, appropriate noise insulation measures shall be identified and included in the construction documents to the satisfaction of the City Building Division.

7) **Impact 6.4.3 Construction-Induced Vibration Impacts (DEIR page 6.4-12).**

a. Significant Impact

Construction activities for the proposed project would generate construction-induced vibration that could adversely affect the historic sidewalk structure with its brick barrel-vaulted construction and/or other nearby historic structures. This would be a *potentially significant impact*.

b. Facts in Support of Finding

Architectural damage is defined here as cracks in plaster, etc., resulting from repeated building motion. The vibration study for the Esquire Plaza Office/IMAX Theater construction (13<sup>th</sup> and K streets) was reviewed to estimate the potential for vibration impacts on nearby historic structures. Soils beneath the Esquire site are similar to those under the project site. The Esquire Theater facade was measured five feet from the pile hole, and no damage was observed during pile driving. This would compare closely with the situation in Alternative B, where the Coolot building would be preserved on-site. For the proposed project and alternatives B and C, the closest historic structure to the project site is across the street at 900 J Street, the Ruhstaller Building at the southeast corner of 9<sup>th</sup> and J.

The vibration report concluded that indicator pile driving at the Esquire Plaza site generated vibrations well below the FHWA Architectural Threshold Limits for architectural damage to historic buildings. All pile holes were pre-drilled. No damage was observed and none would be expected based on the available criteria. Other pile driving monitoring for the Convention Center and the Attorney General's office building projects identified that while no structural damage occurred, it is possible for fire sprinklers to break at joints at vibration levels below current criteria.

Because of the expected low vibration levels, no vibration monitoring should be necessary at the project site. Noise mitigation measure 6.4.1, above, requires pre-drilling of pile holes, which would result in conditions similar to those at the Esquire site. Since fire sprinkler failure has been observed in the past, monitoring should begin only if such failures are observed in surrounding office buildings.

The significant effects listed above will be reduced to a less-than-significant level by incorporation of the following mitigation measures:

6.4.3a Implement Mitigation Measure 6.4.1c: "To further mitigate pile driving noise impacts, holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier."



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*Findings of Fact*

- 6.4.3b Document the condition of the existing historic building and structures to facilitate the repair of potential construction damage.
  - 6.4.3c Provide protective coverings or temporary shoring of historic features in consultation with the Preservation Director.
  - 6.4.3d Examine all adjacent buildings during construction for the occurrence of new cracks or signs of distress.
  - 6.4.3e If fire sprinkler failure failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
  - 6.4.3f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred, and to avoid any further structural damage.
- 8) **Impact 6.6.2, Cumulatively Exceed Contracted Amount of Sewage to the Sacramento Regional County Sanitation District (SRCSD) (DEIR page 6.6-7).**

a. Significant Impact

The proposed project would generate approximately 0.065 mgd (163.4 ESD) of sewage, which added to the cumulative demand of new development in the City may cause the City to exceed the contracted amount of sewage to the SRCSD of 60 mgd. Any increased sewage flows generated by the proposed project has the potential to exceed the capacity provided to many of the existing properties under this contract (SRCSD, 2000). This may cause the wet weather peak flow from the Sump 2-service area to exceed the 60-mgd contained in the current agreement, requiring additional interceptor/treatment capacity to be provided somewhere in the system. This would be a *significant impact*.

b. Facts in Support of Finding

The City has identified improvements to the older portions of the City's Combined Sewer System (CSS) to meet increased demand, including future upgrades to the interceptors that connect into the Regional Wastewater Treatment Plant (RWWTP). Because the proposed project is located in a developed area of the City, new infrastructure would not be required to service the increase in wastewater flows. The ultimate planned expansion of the RWWTP is expected to be able to accommodate the increased sewer flows. SRCSD Impact Fees have been established by the SRCSD in anticipation of new facilities needed to meet the cumulative demand of growth in the City and County of Sacramento, as identified in the Sacramento Regional Wastewater Treatment Plant Master Plan. These fees

will be required for the proposed new development to provide for its fair share cost of the anticipated future construction of relief interceptor sewer and treatment facilities.

The following mitigation measure will reduce the effects of the project to a less-than-significant level:

6.6.2 The developer shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

9) **Impact 6.6.3, Combined Sewer Service System Impacts from Dewatering Activities** (DEIR page 6.6-8).

a. Significant Impact

The proposed project would result in excavation for one sub-grade level that could reach groundwater levels. This would result in the need for de-watering and disposal of wastewater into the combined sewer system. Such construction discharges into the combined sewer system would be required to obtain City and SRCSD approvals prior de-watering activities. This impact is considered a *potentially significant impact*.

Excavation activities of the proposed project and project alternatives could reach groundwater levels and require de-watering activities. Since the project site is in the vicinity of the Southern Pacific Railyards contaminated groundwater plume, de-watering activities could result in the discharge of contaminated groundwater. Exposure to groundwater could occur during pile driving operations. Encountering contaminated groundwater without taking proper precautions could result in the exposure of construction workers and consequently result in associated significant adverse health effects.

Groundwater discharges may contain toxic and/or explosive chemicals that could be harmful to the environment and to service workers working in the City's sewer system. Groundwater discharges to the sewer system go beyond the original design of the City's system, thus removing existing sewer capacity from other system users and potentially causing overflows or restricting development. The additional water from groundwater discharges must be conveyed and pumped by the City's existing facilities. The additional volume of water increases the City's operations and maintenance costs through increased capacity, power, and maintenance costs.

b. Facts in Support of Finding

Because of these impacts, the City has developed specific requirements that must be met by developers and contractors regarding construction dewatering. All new groundwater

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discharges to the Combined or Separated Sewers must be regulated and monitored by the Department of Utilities (City Council Resolution #92-439).

Foundation or basement dewatering discharges to the CSS after construction for the purpose of preventing uplift and flooding due to the groundwater will not be allowed. The CSS does not have adequate capacity to allow for continuous dewatering discharges for foundations or basements. Foundations and basements shall be designed without the need for dewatering.

Currently, the Department of Utilities only recognizes two types of construction groundwater discharges, limited discharges and long-term discharges. Long-term discharge must be approved through the Department of Utilities and the City Manager through a Memorandum of Understanding (MOU) process.

The Groundwater MOU has a term of one year and requires the discharger to:

- a. Provide a description of the groundwater discharge,
- b. Obtain a Regional Sanitation District permit,
- c. Obtain approval from the Regional Water Quality Board if discharge is part of groundwater cleanup or contains contaminants above MCLs,
- d. Pay fees based on flow amounts when a fee schedule is established by ordinance,
- e. Comply with any new pertinent laws,
- f. Assess and repair sewer lines if the discharge exceeds MCLs,
- g. Suspend discharges during storm events or at City request,
- h. Provide shut-off switches accessible to the City, and
- i. Indemnify the City against all claims related to the MOU.

The following mitigation measure will reduce the significant impact listed above to a less-than-significant level:

6.6.3a Construction contract documents shall include provisions for the proper handling and disposal of contaminated dewatering water in accordance with federal, state, and local requirements.

6.6.3b If the City or SRCSD determines that groundwater extracted during dewatering activities does not meet applicable standards for discharge into the city sewer system, the contractor shall implement groundwater treatment systems that treat groundwater to standards established by the Central Valley Region Water Quality Control Board, City and SRCSD.

- 10) **Impact 6.6.4, Potential of Flooding in Project Basement Facilities (DEIR page 6.6-10).**

a. Significant Impact

The proposed project would result in building features that would be at a single sub-grade level for building operation such as electrical equipment and storage. High groundwater levels and backups in the combined sewer system could result in flooding of these lower levels of the proposed building. This would be a *potentially significant impact*.

b. Facts in Support of Finding

The potentially significant effect listed above will be reduced to a less-than-significant level by incorporation of the following mitigation measure:

- 6.6.4 The building shall meet building design specifications that will prevent basement level flooding to the satisfaction of the Building Department and Department of Utilities. Such building design specifications could include floodproofing or locating electrical equipment above the basement level, floodproofing doors on all openings into the alley, installing backflow valves on sanitary sewer and storm drain connections to prevent water from entering the basement through the plumbing fixtures and floor drains, providing a groundwater barrier, and installing sump pumps.

11) **Impact 6.7.1, Loss or degradation of undiscovered prehistoric and historic resources (DEIR page 6.7-21).**a. Significant Impact

The Project site is located in an area of the City that was settled early in its history, and could contain unknown sub-surface resources. At the present, there are no known or recorded prehistoric sites that have been identified on the proposed project and alternatives site. The Coolot Building is the only property on the site listed on the National Register of Historic Places or California Register. The Coolot Building is the only property listed on the City's Official Register. However, prehistoric and historic resources could exist beneath the existing surface, formerly the ground level of this section of Sacramento. These resources could be adversely impacted by construction grading and excavation activity, resulting in the loss of cultural resources and information. This would be a *potentially significant impact*.

b. Facts in Support of Finding

The potentially significant effect listed above will be reduced to a less-than-significant level by incorporation of the following mitigation measure:

- 6.7.1 Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during

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any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include, but are not limited to, researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

**12) Impact 6.7.3, Construction impacts to on-site and adjacent historic structures (DEIR page 6.7-25).**

a. Significant Impact

Construction activities for the proposed project could adversely affect the historic sidewalk structure with its brick barrel-vaulted construction. This would be a *potentially significant adverse impact*.

b. Facts in Support of Finding

The vibration study for the Esquire Plaza Office/IMAX Theater construction was reviewed to estimate the potential for vibration impacts on nearby historic structures. Soils beneath the Esquire site are similar to those under the project site. The Esquire theater facade was measured five feet from the pile hole, and no damage was observed during pile driving.

The vibration report concluded that indicator pile driving at the Esquire Plaza site generated vibrations well below the FHWA Architectural Threshold Limits for architectural damage to historic buildings. All pile holes were pre-drilled. No damage was observed and none would be expected based on the available criteria.

The potentially significant effect listed above will be reduced to a less-than-significant level by the following mitigation measure:

- 6.7.3 Implement Noise and Vibration Mitigation Measures 6.4.1c and 6.4.3a through 6.4.3f.

13) **Impact 6.8.3 Interference With In-Building Police / Fire Communications (DEIR page 6.8-5).**

a. Significant Impact

The proposed project would have one sub-grade level that could prevent public safety radio signals from being received in or sent from the lower level. This impact would occur as a result of the building structure itself interfering with the radio signals. This would be a *significant impact*.

b. Facts in Support of Finding

According to the City of Sacramento, Telecommunications Division, test results from a comparable structure (1201 K Street building) found that the lower ground level and any sub-grade of the proposed project would require an in-building distributed antenna system, or Radio Re-radiation System. The lower levels of the building could need a Bi-directional Amplifier (BDA) radio system to work with the existing SRRCS public safety radio band (PS). The system would receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA will also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna will need to be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail, which would allow clear and reliable communications within the building, thereby eliminating the impact to in-building communications. (Stuber, 2000).

The significant effect described above will be reduced to a less-than-significant level by the following mitigation measures:

- 6.8.3 The project sponsor shall determine if in-building radio amplification is needed to provide the minimum signal levels required for public safety radio communications (PS). If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a bi-directional amplifier (BDA) radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and

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signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

**14) Impact 6.8.4, Interference with the Automated Local Evaluation in Real Time System (DEIR page 6.8-6).**

a. Significant Impact

The proposed project would be approximately 435 feet in height and may interfere with the rain gages, stream gages, and weather station radio signals. This would interfere with the County's ability to predict potential flood locations. This would be a *potentially significant impact*.

b. Facts in Support of Finding

The potentially significant effect listed above will be reduced to a less-than-significant level by the following mitigation measure:

6.8.4 The project sponsor shall install a receiving antenna on top of the office tower in a manner consistent with the Sacramento Urban Design Plan. The receiving antenna would be connected directly to 700 H Street via wires, not via a transmitting antenna. The facilities may be included with other necessary communication equipment.

**15) Impact 6.9.1 Substantially Compromise the Visual Quality of the Project Area (DEIR page 6.9-14)**

a. Significant Impact

Implementation of the proposed project would alter the visual characteristics of the project area. This would be a *potentially significant impact*.

b. Facts in Support of Finding

Views of the project site from Interstate 5 are easily identifiable due to its location near the U.S. Bank Building (9<sup>th</sup> & J), Cal EPA Building and the Renaissance Tower (8<sup>th</sup> & K). The site is in effect surrounded by existing high-rise office towers. Along with other prominent buildings in the Central Business district such as the Wells Fargo Building, these structures generally make up downtown Sacramento's visible skyline. The proposed tower would be

just south of the US Bank Tower and just north of the Renaissance Tower which, while shorter than the proposed project, have much wider east and west elevations. The narrower elevation minimizes the proposed tower's effects on the downtown area skyline and protected view corridors, even though the height may be up to 50 feet higher than the adjacent towers. Although the proposed tower is very modern in appearance, it would generally complement the surrounding buildings in the downtown area that make up the skyline. As such, the proposed project would be perceived as "filling in" the skyline of downtown.

The proposed project building has been designed to fit within the context of its location and to continue and extend the fabric of the surrounding buildings. Taking cues from the historic office buildings along J Street, Metro Place uses similar compositional devices and proportions to relate the building to its site and neighbors. A three part vertical organization defines a base, body and top of the building. Doing this breaks up the large mass of the building and allows the different parts to relate to different scales such as the pedestrian experience at street level and the scale of the skyline and city at the top.

The proposed project would generally conform to the massing, setback, rhythm, and design guidelines set forth in the Framework Plan, Architectural Design Guidelines, and Streets Guidelines of the Sacramento Urban Design Plan. The massing and setbacks are within the parameters of "Alternative 3" of the Plaza Park District Massing Guidelines. The proposed tower's architectural features and materials, colors, and facade treatments, as currently presented, will generally blend with surrounding buildings.

The potentially significant effect listed above will be reduced to a less than significant level with the following mitigation measure:

6.9.1a The building materials, colors, and building facade treatments shall be in conformance with the Sacramento Urban Design Plan and Section 2.98 of the Comprehensive Zoning Ordinance, and shall be approved by the Design Review and Preservation Board.

16) **Impact 6.10.1, Cumulative Demand for Fire Services (DEIR page 6.10-6).**

a. Significant Impact

The proposed project would develop offices and residential units at a height that is above the ability of ladders to provide evacuation in an emergency, and would increase the number of fire personnel required to provide safety for the occupants, contributing to a cumulative demand in the Central City for an additional fire station, equipment and company. This would be a *significant impact*.

b. Facts in Support of Finding

The Sacramento City Fire Department has determined that there is a minor effect to the



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methods used and processes adopted in providing fire suppression. But the cumulative effects, risk analysis and probability of an occurrence increases with the residential aspect added to a high rise. The increased demand on fire services is in addition to the cumulative effect of significant new downtown development now occurring, and results in the need to provide an additional station, company and new equipment resources to meet anticipated growth.

The Fire Department has determined that there are insufficient tax dollars being generated from new development downtown, since much of the demand is from new State offices that are exempt from property taxes. Without the ability to finance construction of a new fire station and company to serve the downtown area, response times will continue to decrease at a risk to public health and safety. Currently, response times downtown are within the goals established by the Department. However, the incremental effects of the Metro Place project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects that continue to demand increased fire services downtown. It is anticipated that a new station and company downtown will be built in time to ensure adequate response times are maintained downtown.

The significant effect listed above will be reduced to a less-than-significant level with the following mitigation measures:

6.10.1a The Sacramento City Fire Department shall prepare a nexus report to identify the Department's need for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to new development.

6.10.1b The project proponent shall agree to pay the fair share assessment amount identified in the Sacramento City Fire Department nexus study and approved by the City Council. This assessment shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

**B. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED**

Finding - The Agency finds that, where feasible, the changes or alterations have been required in, or incorporated into, the Project which reduce the significant environmental impacts listed below as identified in the 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 Agency including the Draft and Final EIR prepared for this project and the General Plan for the City of Sacramento and the associated EIR. All available, reasonably feasible mitigation measures identified in the EIR are employed to reduce the magnitude of the impacts, even if the reduction is not to a less-than-significant level. Also incorporated into this section are the findings and facts

stated in Section III that reject the No Project Alternative for failure or infeasibility to mitigate the potential effect and achieve the basic objectives of the project.

1) **Impact 6.2.1 Intersections (DEIR page 6.2-27)**

a. Significant Impact

One intersection will result in *significant adverse impacts* due to project traffic. The 3<sup>rd</sup> Street/J Street intersection maintains LOS "E" in both Baseline and with project conditions (a.m.). However, the increase in delay is 5.9 seconds which exceeds the maximum 5 second criteria.

b. Facts in Support of Finding

Development of the proposed project would result in a significant impact at the 3<sup>rd</sup> Street/J Street intersection. The traffic added to the 3<sup>rd</sup> Street/J Street intersection will increase the vehicle delay by over 5 seconds, meeting the City's criteria for a significant impact.

To improve the 3<sup>rd</sup> Street/J Street intersection to acceptable operation, one through lane and one right turn lane needs to be added to the northbound and southbound I-5 off-ramps, respectively. Constructing a second through lane for northbound I-5 off-ramp traffic improves the intersection to a Level of Service "D". The added exclusive southbound right turn lane is necessary to accommodate the heavy right turn movement from southbound I-5. The improvements at this intersection are required without this project in order to meet City standards.

Due to the existing physical constraints, widening of the I-5 off-ramps is not feasible, and the intersection will continue to operate with a significant and unavoidable impact.

2) **Impact 6.3.2, Construction - Erection and Construction Emissions (DEIR page 6.3-12 and FEIR page 9).**

a. Significant Impact

Phase II construction emissions associated with erection and construction of the proposed project would generate PM<sub>10</sub>, NO<sub>x</sub>, and ROG, thereby adding to ambient PM<sub>10</sub> and O<sub>3</sub> concentrations. Construction activities would generate an estimated 6.8 lbs./day of PM<sub>10</sub>, 91 lbs./day of NO<sub>x</sub>, and 114 lbs./day ROG, primarily through the operation of mobile and stationary construction equipment and architectural coatings. Although PM<sub>10</sub> emissions are below the SMAQMD's significance thresholds of 275 lbs./day PM<sub>10</sub>, Phase II NO<sub>x</sub> and ROG emissions exceed the District's threshold, constituting a *significant impact*.

b. Facts in Support of Finding

Phase II construction emissions are primarily associated with construction employee

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commute vehicles, asphalt paving operations, mobile construction equipment (i.e., cranes, forklifts, etc.), stationary construction equipment, and architectural coatings. Because of the size of the proposed project, Phase II construction emissions would principally be generated from architectural coatings, as well as diesel-powered mobile and stationary construction equipment.

Phase II construction emissions were calculated using the assumptions and methodologies outlined in the SMAQMD's *Air Quality Thresholds of Significance* Phase II Construction Air Quality Impacts. The analysis for the proposed project was based on the additional assumptions listed below:

- 272,000 gross square feet (gsf) office space
- 22,950 gross square feet (gsf) retail space
- 120 residential units

The above listed significant impacts are reduced by incorporation of the following mitigation measures, but the impact will remain significant and unavoidable:

Phase II construction emission mitigation measures involve the routine maintenance and tuning of all mobile and stationary powered construction equipment, as well as construction employee commute vehicle trip reductions. No mitigation is available to reduce emissions from architectural coatings, the primary source of ROG and NO<sub>x</sub> emissions. However, construction coatings are required to conform to the rules outlined in the SMAQMD's Rule 453 and Rule 442 governing the manufacture and use of architectural coatings.

The incorporation of the following mitigation measures will reduce the air quality impact in magnitude, but the impact still remains significant and unavoidable for the duration of the construction period:

6.3.2a Implement mitigation measures 6.3.1a and 6.3.1b.

6.3.2b Construction employees shall be encouraged to use transit and carpooling to the job site(s).

6.3.2c The prime contractor shall provide a plan for approval by the City of Sacramento and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average.

6.3.2d The prime contractor shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment.

The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.

- 6.3.2e The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

3) **Impact 6.4.1, Increased noise levels during construction (DEIR page 6.4-8).**

a. Significant Impact

Construction activities would begin with the demolition of existing structures and excavation for foundations. Foundation piles would be driven and the building would be erected. Construction noise would be persistent throughout the entire construction period. Construction noise levels would vary from hour to hour and day to day, with individual pieces of equipment and some construction phases being relatively louder than others.

Typical construction noise levels range from 76 dBA to 89 dBA for both construction equipment and construction activities. Pile driving is by far the noisiest construction activity associated with the construction of high-rise buildings. Noise from pile driving equipment can reach 100 dBA at 100 feet. Noise from pile driving would be loud enough to interrupt speech and activities in the neighboring Cesar E. Chavez Plaza.

During noisy construction periods, background ambient noise levels will be increased by more than 5 dBA and will be clearly perceivable to surrounding individuals. Construction noise could make outdoor dining and conversation at the Park and along J Street difficult and unpleasant. Therefore, construction noise impacts will be significant.

b. Facts in Support of Finding

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The following mitigation measures are required for the proposed project to mitigate construction noise impacts. Implementation of these mitigation measures would reduce the magnitude and severity of construction noise impacts; however, temporary and significant noise impacts would remain as part of the construction phase:

- 6.4.1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings.
- 6.4.1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Demolition and pile driving activities shall be coordinated with adjacent land uses in order to minimize these noise impacts.
- 6.4.1c To further mitigate pile driving noise impacts, holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.4.1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.4.1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

4) **Impact 6.5.3, Shadow Conditions (DEIR page 6.5-11).**

a. Significant Impact

Construction of the proposed project would add new shadow to the vicinity of the project site. Shadow added by the project would include new large-scale shadowing effects on Cesar E. Chavez Plaza in the early spring and fall. The new shadow would cover large portions of the Plaza, including the Cafe area, for intervals of one to two hours during the mid- and late afternoon.

b. Facts in Support of Finding

As described in Section 3.0 of the DEIR, the Project Description, the project would place a base that fills the half-block between 8th and 9th streets and would place a tower close to the intersection of 9th and J streets.

Shadow from the proposed building would generally extend to the west and northwest of the site in the morning, to the north at noon, and to the northeast and east. Mid-day shadows would be longer in the winter months, with the longest noontime shadow

occurring on the winter solstice, December 21st. Mid-day shadows would be shorter in the summer months, with the shortest noontime shadow occurring on the summer solstice, June 21st. Lengths of the noontime shadow from the tower would range from about 650 ft on the winter solstice to about 90 ft. on the summer solstice.

Based on the significance criteria presented previously, because shadow from the project would include new large-scale shadowing effects on Cesar E. Chavez Plaza in the early spring and fall and the new shadow would cover large portions of the Plaza, including the Cafe, for intervals of one to two hours during the mid- and late-afternoon, the shadow impacts of the project are considered to be *significant*.

Mitigation of these shadow impacts would require reducing the height of the project tower to less than 200 feet. Based on the City's, Agency's and developer's objectives for the project site, this mitigation measure is not considered feasible.

5) **Impact 6.5.4 Project Wind Effects - Pedestrian Comfort (DEIR page 6.5-18).**

a. Significant Impact

Implementation of the proposed project would result in the pedestrian comfort criterion being exceeded at 12 locations, as compared to the existing 8 locations at which the pedestrian comfort criterion are now exceeded. This increase in the number of comfort exceedances would be a *significant impact*.

b. Facts in Support of Finding

The comparisons and discussions of wind conditions and impacts at the site for the Project are based on the results of the wind-tunnel tests described in the DEIR. The project would eliminate 4 existing pedestrian comfort criterion exceedances, add 8 new exceedances, and leave 4 existing exceedances in place, for a total of 12 exceedances of the pedestrian comfort criterion.

The proposed project would result in no change in wind speeds at 6 of the 30 tested wind measurement locations surrounding the project site. Wind speed decreases of 1 mph to 4 mph would occur at 13 locations and wind speed increases of 1 mph to 6 mph relative to existing conditions would occur at 11 other locations.

With the Metro Place project, the majority of wind speed changes would occur close to the base of the building. Along 8th Street from J to K streets, wind speeds would generally decrease on the east side of the street (locations 9, 13, 22, 24, 25, 27), with wind speed decreases of 0 to 4 mph, and generally increase on the west side of the street (locations 12, 20, 21, 23), with wind speed increases of up to 6 mph. Overall, wind conditions in front of the Renaissance Tower would be improved. Four existing pedestrian comfort exceedances (locations 22, 24, 26, 27) on the east side of 8th would be eliminated, and two new

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pedestrian comfort exceedances (locations #20, 21) would be created on the west side of 8th by the project. In addition, an existing exceedance (# 23) on the west side of 8th would continue to exist.

Along J Street from 8th to 9th streets, wind speeds would increase by 0 to 5 mph at the intersections (locations 2-5, 9, 12, 13, 20) and decrease by 0 to 2 mph in the mid-block locations (locations 6-8, 11, 18). New pedestrian comfort exceedances would be created at the four corners of the intersection of J and 9th Street, and one new exceedance would be created at the southwest corner of the intersection of 8th and J streets. Another point, close to the awning above the entrance to the Metro Place building (location 30), would be at, but would not exceed the pedestrian comfort criterion.

Along 9th Street from K to mid-block between J and I streets, wind speeds would increase by 0 to 5 mph at the J Street intersection and along the frontage of the project (locations 2-5, 14, 19, 12, 13, 20) and would decrease by 0 to 2 mph in the mid-block locations farther from the project (locations 1, 15-17, 28). Five new pedestrian comfort criterion exceedances would be created, while two existing exceedances would continue.

In the rear alley between 8th to 9th streets, wind speeds would increase at two points (locations 10, 14) and would decrease at two points (locations 23, 24), with one point (location 26) remaining unchanged. Changes at the five points would range from +2 to -3 mph. Winds in a number of the street level locations will be acceptable for pedestrian activities, however winds that are 14 mph or more will be perceived as uncomfortable by pedestrians.

Landscaping that includes street trees on centers that allow the tree canopies to grow together should provide effective wind speed reductions of 1 to 2 mph. These reductions would be sufficient to mitigate the wind comfort criterion exceedances for the project to a less-than-significant level. It will take 5 to 10 years until the street trees could grow large enough to have the desired effect.

The following mitigation measure will ultimately reduce impacts to less than significant. However, the impact will be temporary, significant and unavoidable until the trees are mature:

6.5.4 Landscaping plans shall include street trees on centers that allow the tree canopies to grow together within 5 to 10 years.

6) **Impact 6.5.5 Wind Hazard Conditions (DEIR page 6.5-22).**

a. Significant Impact

Implementation of the proposed Metro Place project would result in the net reduction in the number of wind hazard criterion exceedances and in the total duration of hazard exceedances in the vicinity of the project. A total of 11 exceedances now occur under

existing conditions, with the total duration of the exceedances being 37 hours per year. With the project, a total of 8 wind hazard exceedances would occur, with the total duration of the exceedances being 33 hours per year, a net reduction of 3 exceedance locations and a reduction of 4 hours per year in duration. These hazard exceedances would remain a *significant impact*.

b. Facts in Support of Finding

Implementation of the following mitigation measures would reduce the magnitude and severity of the wind impacts, but not to less than significant levels at all locations:

- 6.5.5a Plant large street trees along 8th, J and 9th streets over the length of the project site. The trees shall reach heights of approximately 45 feet and shall be spaced no more than 40-50 feet apart.
- 6.5.5b If feasible, plantings of similar trees in eastern half of the Alley also might mitigate the wind hazard there (location 10). If plantings are not practicable, modification of the project design or the inclusion of a structural screen, ledge or setback 10 to 20 feet deep on the project building at a height of 20 to 40 feet above that location shall be provided to mitigate the wind hazard that occurs there. Otherwise, limitation of access to the area or posting of the area with warnings is required.

Mitigation of the two remaining off-site wind hazard locations is not warranted. Both locations are existing wind hazards, caused by the towers they abut. The existing hazard on the north sidewalk of J Street, at the west corner of the U S Bank Building, would be unchanged by the project. In addition, the presence of the project already would reduce the duration of the existing hazard at the southwest corner of the Renaissance Tower by 7 hours/year from its current duration of 10 hours/year.

Although locations 5, 8, 24, 30 should be mitigated within 5 to 10 years as the street trees reach maturity, it is unlikely that physical mitigation will occur for location 10 along the Alley. Posting of warnings will not reduce the impact to less than significant.

7) **Impact 6.6.1, Substantial increases to Combined Sewer System flows** (DEIR page 6.6-5).

a. Significant Impact

The proposed project would result in Combined Sewer System (CSS) flows that exceed the City's screening criteria for project-generated wastewater flows by 123.4 ESD. This would be a *significant impact*.

b. Facts in Support of Finding



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The City requires that existing and proposed storm drainage and sewer flow calculations be submitted to the Department of Utilities. The proposed project would exceed City screening criteria. If the Department determines that the project's impacts are significant, the project proponent will be required to work with Department staff to develop a method of mitigating these impacts. A mitigation plan could include such measures as on-site storage and/or detention of site-generated storm water flows, CSS pipe up sizing, and replacement of pipes. The current project design does not include on-site storage.

1. If mitigation is not practical, the City would require the project developers to enter into an Impact/Mitigation Agreement with the City. The agreement would include, but is not limited to, the following: Agreement to pay associated CSS impact fees and a waiver of all rights to protest fees, assessment districts, or Mello Roos districts.
2. Consent to all conditions by any lienholder.
3. Indemnification of the City in implementing the Agreement.

The mitigation plan or Impact/Mitigation Agreement is required by local regulations to be reviewed and approved by the City of Sacramento Department of Utilities prior to the issuance of building permits.

The following mitigation measure would reduce the magnitude of the impact:

- 6.6.1 If mitigation of impacts is not practical, the developer must enter into an impact fee agreement with the City. The fee, as yet to be determined, will be used for improvements to the CSS.

If mitigation during construction and prior to building occupancy is not practical, improvements to the combined sewer system would not occur until after the proposed project is constructed, resulting in potentially unmitigated substantial additions to the combined sewer system for an unknown period of time. Therefore, the impact is *significant and unavoidable*.

8) **Impact 6.7.2 Alteration or Demolition of Historic Structures (DEIR page 6.7-21).**

a. Significant Impact

Implementation of the proposed project would result in

1. The moving or reconstruction of the Batchelder-tiled facade of the Coolot Building, listed on the National Register, the California Register and the Sacramento Official Register. Since this would result in the disassembly of a significant building and loss of integrity, this would be a *potentially significant impact* even though it would result in the retention of a major feature of a significant building.
2. The demolition of the Coolot Building, listed on the National Register of Historic Places, and Sacramento's Official Register. This would be a *potentially significant*

*impact.*

3. The demolition and removal of the barrel vaulted under-sidewalk construction still in place on 8th, 9th and J Streets, a historic resource unique to Sacramento in California. This would be a *potentially significant impact.*

b. Facts in Support of Finding

The removal of the Coolot Building, listed on the National Register of Historic Places, California Register, and Sacramento's Official Register, would constitute the irreplaceable loss of a recognized significant resource which reflects an aspect of our heritage, and would result in a significant adverse impact on the property.

Relocation of the Batchelder tile facade into a new location would be a more significant impact than retaining it on site. However, while removal, relocation and reconstruction of the Batchelder tile facade in a new context would constitute a significant impact, it would allow its retention and re-use as a resource.

Removal of all but a proportionately small section of the barrel-vaulted sidewalk structure constitutes a significant impact to an important and irreplaceable local resource. A small area, comprising approximately 3-4 barrel-vaulted sections at the original street level beneath the pedestrian sidewalk, would be set aside for retention and interpretation as a mitigation for the removal of all of the rest of the remaining under-the-sidewalk vaulted sections around the periphery of the north half-block between 8th and 9th Streets, along J Street. Retaining a portion of the structure and making it accessible to the public would allow at least part of the resource to be seen and appreciated. Its interpretation will assist the public in understanding a little-known episode in the history of Sacramento and allow them to observe an early piece of its physical form intact.

The below-sidewalk barrel vaults demonstrate the mid-nineteenth century downtown engineering feat of raising the city sidewalk level one story to avoid/minimize the effects of flooding in the city. This activity was a major undertaking and constituted an important event in the history of the city. The project area encompasses the largest, most intact remaining example of the engineering structure that was created to accommodate the street-level raising. There are very few areas outside of this project area that still physically display the 1860s sidewalk structure, and that include original door and window openings at the original street level, a configuration that enhances an understanding of the project and its extent.

To retain some element of this historic feature, the current project includes the retention of a portion of the sub-sidewalk barrel-vaulted area that contains an original door and window opening located beneath/adjacent to the east end of the Coolot Building facade. The plan also includes the removal of a portion of the sidewalk and its replacement with a skylight-type window that will allow those at sidewalk level to view the lower level. Access to the

## FINDINGS AND OVERRIDES

### Findings of Fact

basement / lower level in order to view the historic barrel-vaulted support structure will also be created as a part of the project.

The following mitigation measures are required to reduce the magnitude of the impact to historic resources, but will not reduce impacts to less than significant:

- 6.7.2a The relocation and restoration of the Batchelder tiled facade of the Coolot Building shall be conducted according to the *Secretary of Interior's Standards for the Treatment of Historic Properties*. The new setting of the Coolot Building facade shall be appropriate to its image and design. Actual installation of the tile into the new site shall be implemented with expertise and sensitivity to the resource.
- 6.7.2b Prior to any demolition, the exterior and intact original interior portions of the Coolot Building shall be recorded according to the Historic American Building Survey (HABS) standards. Recordation shall consist of 4"x5" View camera photo-documentation and a written description of the building.
- 6.7.2c A segment of the barrel-vaulted sidewalk structure showing an iron-doored ground floor entry, former street-level window openings, and several sections of the sidewalk-supporting brick barrel-vaults shall be retained and rehabilitated as an interpretive public display. Physical access from the underground garage and visual access from the sidewalk will be incorporated into the display. Both physical and visual access shall be adequate for understanding the resource and inviting to the public.
- 6.7.2d Prior to demolition of the remainder of the sidewalk structure, the overall structure as exposed at alley/ground level, shall be recorded in accord with HABS standards. Recordation shall consist of 4"x5" View camera photo-documentation and a written description of the structure.
- 6.7.2e The Coolot/Comstock Building shall be de-listed from the National Register of Historic Places and from the Sacramento Official Register. It shall be the project sponsor's responsibility to work with the City and the State Office of Historic Preservation (OHP) to undertake these tasks.

### III. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative. Alternatives provide a basis of comparison to the Proposed Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to determine the most feasible for implementation. The alternatives studied in the EIR are infeasible based upon the following specific economic, social, or other considerations.

#### 1. No Project Alternative

The No Project Alternative is required by CEQA. The No Project Alternative is defined in this section as the continuation of the existing condition of the project site. The proposed project site would remain mostly vacant, with the vacant and deteriorating Coolot building and the partially vacant retail buildings in the southwest corner of the site. The site would remain surrounded by a construction wall painted with a mural. The vacant and deteriorating buildings would probably continue to experience vandalism and use by transients for shelter, as they have been despite enforcement activities, continuing the potential for another fire such as the ones that destroyed previous buildings on the site in the recent past.

### **Finding**

Specific economic, social, or other considerations make infeasible the No Project Alternative identified in the EIR and described above in that:

- a) The No Project Alternative would not promote the City's General Plan policies related to maintaining downtown's role as a major regional office and governmental center because it would maintain the parcel as partially vacant, blighted and underutilized.
- b) The No Project Alternative would fail to further historic preservation goals, since if the Coolot structure were to remain without further activity, it would ultimately deteriorate to a ruin. No Project may also result in the further deterioration and ultimate removal of the historic support structure beneath the sidewalks on the project site, due to its further neglected condition. In this instance, the No Project alternative could result in the loss of an important and increasingly rare Sacramento resource, as well as the National Register-listed building.
- c) The No Project Alternative would be inconsistent with City and Regional Transit policy to locate high intensity development proximate to light rail stations or other available or proposed transit services, to support air quality and traffic management goals and utilize existing infrastructure.
- d) The No Project Alternative would be inconsistent with City policy supporting the creation of an appropriate mix of residential and non-residential to support a vibrant 18-hour downtown environment and thereby improve security in the area.
- e) The No Project Alternative would not achieve the basic goals and objectives of the proposed project, including alleviate the existing parking deficit in the west area.
- f) Significant effects of the proposed project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

**2. Alternative A - In-Situ Preservation**

Alternative A assumes the construction of the same features as the proposed project, but preserves the front 1/3<sup>rd</sup> of Coolot building in place (812 J Street). Similar to the proposed project, this alternative would be 33 floors / 435 feet, with 272,000 s.f. office, 120 units of housing, 22,950 s.f. ground floor retail, and 750 parking spaces. Maintenance of front part of the Coolot building would reduce parking by 250 spaces, yet still provide 86 spaces beyond that needed for the alternative. There would be no porte-cochere on J Street, and residential access would be shared through the main lobby and the garage.

**Finding**

Specific economic, social, or other considerations make infeasible the In-Situ Preservation Alternative identified in the EIR and described above in that:

- a) Alternative A would required a public dollar investment of approximately \$9 million to make the project financially feasible, thus potentially resulting in an ineffective and inefficient use of available resources.
- b) Alternative A would fail to meet the applicant's objective to provide the most efficient parking layout and maximize spaces developed to mitigate current parking supply shortages in the vicinity of the project.
- c) Significant effects of the proposed project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

**3. Alternative B - Reduced Office**

Alternative B assumes this alternative has the same office/retail features and historic display features as the proposed project, but no housing, and provides an increase in public parking availability of 346 spaces beyond what is required for the office uses. The building would be significantly smaller than the proposed project and other alternatives, approximately 260 feet in height.

**Finding**

Specific economic, social, or other considerations make infeasible the Reduced Office Alternative identified in the EIR and described above in that:

- a) Alternative B would fail to meet the applicant's objective to develop a housing component in the project that will complement the office development and support ground floor retail.

- b) Alternative B would fail to meet the Redevelopment Plan's goal to encourage mixed-use land uses including high density housing around the Central Business District in order to increase the economic viability and livability of the area.
- c) Alternative B would not be as effective in developing the blighted and underutilized site to its highest and best use.
- d) Significant effects of the proposed project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

4. **Alternative C - Mixed Use Increased Housing/Office**

This alternative would construct a 32 story, 400-foot office - residential tower with 165,000 s.f. office, 200 units housing, and 22,950 s.f. retail. Parking, at 732 spaces, would provide 202 spaces beyond that needed for the alternative. The Batchelder tile façade would be moved or reconstructed into the lobby, the Coolot building demolished, and the barrel vaulted arches preserved and put on display in the basement.

Alternative C would provide access to the residential lobby through an internal porte-cochere on J Street, with parking garage ingress and egress from 8<sup>th</sup> Street. Basement level residential parking of 75 spaces and loading would be accessed off the alley.

**Finding**

Specific economic, social, or other considerations make infeasible the Mixed Use Increased Housing/Office Alternative identified in the EIR in that:

- a) Alternative C would result in a reduction in future employment opportunities on a C-3 parcel in the Central Business District, reducing the concentration of employment in downtown that supports light rail/transit and reduces urban sprawl.
- b) Alternative C would require a significant financial subsidy from the City of the increased housing component, thus potentially resulting in an ineffective and inefficient use of available resources.
- c) Alternative C would result in greater combined sewer system impacts than the project.
- d) Significant effects of the proposed project are acceptable when balanced against this Alternative and the facts set forth in the Statement of Overriding Considerations.

**FINDINGS AND OVERRIDES**

*Findings of Fact*

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#### **IV. STATEMENT OF OVERRIDING CONSIDERATIONS**

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the Agency has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project as revised outweigh the adverse impacts, and the proposed project shall 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 proposed project would contribute to environmental impacts which are considered significant and adverse, as disclosed in the EIR prepared for the proposed project.

The Agency specifically finds, and therefore makes this Statement of Overriding Considerations, that as a part of the process of obtaining project approval, all significant effects on the environment with implementation of the Proposed Project have been eliminated or substantially lessened where feasible. Furthermore, the Agency has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations described below:

1. The project will eliminate blighting influences and correct environmental deficiencies in the Merged Downtown Sacramento Redevelopment Project Area, including among others, obsolete and aged building types, and inadequate or deteriorated infrastructure and facilities.
2. The Proposed Project helps achieve the Agency's goals to maintain and strengthen downtown's role as a major regional office, retail, commercial and governmental center.
3. The Proposed Project will support the public investment in the transit system by developing intense office and residential uses within close proximity to light rail stations and transit corridors.
4. The Proposed Project will assure the preservation of a significant historic feature and provide public improvements, historic interpretive displays and artwork to enhance the attractiveness of the area.
5. The Proposed Project will provide physical improvements to the site and area that will be an asset to the character of the downtown area and enhance the visual and pedestrian connection to the civic area and the K Street Mall.
6. The Proposed Project will provide public amenities in support of the Downtown Cultural and Entertainment District Master Plan.
7. The Proposed Project will help alleviate the existing parking deficit in the K Street Mall and civic center area.



**FINDINGS AND OVERRIDES**

*Statement of Overriding Considerations*

8. The Proposed Project would provide for an efficient and financially beneficial use of underutilized commercial properties by constructing a building that will provide long term employment and housing opportunities in the City of Sacramento.
9. The project will increase commercial use in the downtown area and increase employment and housing adjacent to the K Street Mall, the revitalization of which is a priority of the City.
10. The project will strengthen the economic base of the Project Area and the community by installing needed site improvements that will stimulate new commercial expansion, new employment and economic growth.
11. The project will provide increased sales, business license and other fees, taxes and revenues to the City of Sacramento and will enhance the value of neighboring properties and the Project Area as a whole.

Exhibit 2

**DRAFT  
MITIGATION MONITORING PLAN**

**FOR**

**METRO PLACE OFFICE / RESIDENTIAL PROJECT  
8TH AND J STREETS  
SACRAMENTO, CALIFORNIA**

(State Clearinghouse Number 2000052075)

**CITY OF SACRAMENTO**

Prepared By:

**GAIL ERVIN CONSULTING  
for the  
City of Sacramento  
Downtown Development Group**

March 16, 2001

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METRO PLACE OFFICE/RESIDENTIAL PROJECT

RESOLUTION NO. 2001-021

APR 10 2001

**MITIGATION MONITORING PLAN**  
**METRO PLACE OFFICE / RESIDENTIAL PROJECT**  
**CITY OF SACRAMENTO**

The California Environment Quality Act (CEQA) as amended by Chapter 1232 (California 1988: implementing AB 3180, 1988) provides that a decision making body "shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment."

The purpose of this mitigation monitoring and reporting plan is to ensure compliance with and effectiveness of the mitigation measures set forth in the certified Final Environmental Impact Report (FEIR) for the Metro Place Office/Residential Project. This MMP identifies the impact as it relates back to the environmental impact report, what the mitigation is, the monitoring or reporting action for the mitigation measure, the responsible party for the action, the timing of the monitoring or reporting action, and how the action will be verified.

The requirements of this MMP run with the real property that is the subject of the project and successive heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted MMP. Prior to any lease, sale, transfer, or conveyance of any portion of the real property that is the subject of the project, the Developer shall provide a copy of the adopted MMP to the prospective lessee, buyer, transferee, or one to whom the conveyance is made. The Developer shall not be relieved of its obligations under the MMP if the Developer conveys any interest in the site unless the Agency agrees in writing to relieve the Developer's obligations.

The Economic Development Department, Downtown Development Group will be responsible maintaining records of compliance with this program for the City of Sacramento and Redevelopment Agency. All records shall be maintained in the Metro Place Office/Residential Project Mitigation Monitoring Plan file at the City of Sacramento, Economic Development Department, Downtown Development Group, 1030 15th Street, Suite 250, Sacramento, California 95814.

**TRANSPORTATION/CIRCULATION**

**Impact 6.2.1 Local Vehicular Circulation - Loading Dock**

**Mitigation:**

6.2.2 Since the (proposed) loading docks are located adjacent the alley, there is limited space for delivery trucks to maneuver into the bays. The applicant shall obtain agreement with the City regarding implementation of safety and traffic control measures for the project loading dock; access to the loading docks via the alley and hours of delivery shall be to the satisfaction of City of Sacramento, Public Works.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
<p>A safety and traffic control plan shall be submitted to and approved by the City Traffic Engineer prior to issuance of an occupancy permit. This plan shall be subject to monitoring and refinement by the Transportation Division. Compliance with all city conditions and mitigation measures will be required in the OPA.</p>	<p>Applicant shall submit copy of the plans identifying compliance with these measures to the Metro Place Project Manager, Downtown Development Group. Include copy of the safety and traffic control plan, OPA and construction conditions in MMP file. Submit verification of compliance to the Building Division.</p>
<p>Checked: (initials) _____ (date) _____</p> <p>comments: _____</p> <p>_____</p> <p>_____</p>	<p>Checked: (initials) _____ (date) _____</p>

**Impact 6.2.3 Local Vehicular Circulation - Parking Structure Access**

**Mitigation:**

**6.2.3a** The parking structure entrance shall be designed with adequate entry lanes, queuing space and ticket kiosks to avoid queuing on City streets with a 95 percent probability during the peak hours on a typical day.

**6.2.3b** The parking structure shall be designed to allow three vehicles to queue inside the structure. This will reduce the number of vehicles on the street to two vehicles. Parking along 8<sup>th</sup> Street near the garage entrance shall not be allowed. A right turn lane (to allow for stacking of two vehicles at a minimum) into the parking structure shall be striped in lieu of the parking lane. This will provide a dedicated lane for vehicles to queue prior to entering the parking structure.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
A parking plan shall be submitted to the City Traffic Engineer for review and approval, then forwarded to the Building Division. The Building Division will include the conditions in the project's construction permits. Compliance with all City conditions and mitigation measures will be required in the OPA.	Applicant shall submit a copy of construction conditions to the Metro Place Project Manager, Downtown Development Group. Include copy of parking plan, OPA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.2.6 Construction Impacts**

**Mitigation:**

**6.2.5** For temporary lane closures or other traffic impedance that are anticipated during construction, a construction traffic management plan shall be prepared by the applicant to the satisfaction of Public Works, City of Sacramento. This plan shall be submitted with ample time for the review process (typically 8 weeks). This plan shall maintain all open travel lanes on streets and mitigate pedestrian safety concerns throughout the construction period.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
<p>A construction traffic management plan shall be prepared by the applicant to the satisfaction of the City Traffic Engineer and submitted for review and approval prior to issuance of building permits. Compliance with all city conditions and mitigation measures will be required in the OPA.</p>	<p>Applicant shall submit copy of the construction traffic management plan to the Metro Place Project Manager, Downtown Development Group. Include copy of construction traffic management plan, OPA and construction conditions in MMP file. Submit verification of compliance to the Building Division.</p>
<p>Checked: (initials) _____ (date) _____                      comments: _____                      _____                      _____</p>	<p>Checked: _____ (date) _____                      (initials) _____ (date) _____</p>

**Impact 6.2.7 Intersections - Cumulative**

**Mitigation:**

**6.2.6a 5<sup>th</sup> and I Streets intersection:** On the westbound I Street approach, add a fourth through lane. This would only be needed during the peak p.m. hours, between 4 p.m. and 6 p.m. This will require elimination of curbside parking.

The addition of a fourth through lane will require removal of parking along the block and further downstream to the 3<sup>rd</sup> Street intersection. In addition, the existing left turn island at the 3<sup>rd</sup> Street/I Street intersection will have to be modified to accommodate dual left turns onto 3<sup>rd</sup> Street.

**6.2.6b 7<sup>th</sup> and I Streets intersection:** The traffic signal timing will need to be double cycled to a 100-second cycle. This mitigation will only be necessary during the peak p.m. hours, between 4 p.m. and 6 p.m.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
Construction plans for off-site improvements will be submitted to the City Traffic Engineer for review and approval prior to the issuance of building permits. The City will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group. Include copy of OPA and construction conditions in MMP file. Submit verification of compliance to the Building Division.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ date) _____

**AIR QUALITY**

**Impact 6.3.1 Phase I construction grading and demolition emissions**

**Mitigation:**

**6.3.1a** To reduce construction-related emissions of CO, ROG and NO<sub>x</sub>, the following measures shall be implemented:

1. Phase construction activities to reduce simultaneous operation of construction equipment and thereby minimize emissions.
2. Routinely tune and maintain construction vehicles and equipment.
3. Use low sulfur fuel.
4. Use existing power sources (e.g., electric-powered equipment) or clean fuel generators instead of temporary onsite power generators.
5. Use low emission mobile construction equipment as available, feasible and appropriate.

**6.3.1b** Strict compliance with the Sacramento City Code Section 15.40.050 and the SMAQMD's Rule 403 shall be written into construction contracts including a provision requiring demolition or excavation to cease when winds exceed 20 mph averaged over one hour.

**6.3.1c** The following dust abatement program is recommended to ensure compliance with SCC requirements:

1. Water all construction areas at least twice daily;
2. Wash dirt off construction vehicles and equipment within the staging area prior to leaving the construction site;
3. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer);
4. Pave, apply water three times daily, or apply (non-stick) soil stabilizers on all unpaved access roads, parking areas and staging areas; and
5. Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall provide the City Building Division with a copy of contract requirements that include the conditions for the contractor. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____	Checked: _____ (date) _____ (initials) _____ (date) _____ _____



**Impact 6.3.2: Phase II construction - erection and construction emissions**

**Mitigation:**

- 6.3.2a Implement mitigation measure 6.3.1.
- 6.3.2b Construction employees shall be encouraged to use transit and carpooling to the job site(s).
- 6.3.2c The prime contractor shall provide a plan for approval by the City of Sacramento and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average.
- 6.3.2d The prime contractor shall submit the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.
- 6.3.2e The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall provide the City with a copy of contract requirements that include the conditions for the contractor. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____	Checked: (initials) _____ (date) _____

**NOISE/VIBRATION**

**Impact 6.4.1: Increased noise levels during construction.**

**Mitigation:**

- 6.4.1a Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier shall not contain any significant gaps at its base or face, except for site access and surveying openings.
- 6.4.1b Construction activities shall comply with the City of Sacramento Noise Ordinance. Demolition and pile driving activities shall be coordinated with adjacent land uses in order to minimize these noise impacts.
- 6.4.1c To further mitigate pile driving noise impacts, holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier.
- 6.4.1d Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment.
- 6.4.1e Designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The City of Sacramento will include the construction noise conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.4.2 Traffic-generated noise.**

**Mitigation:**

**6.4.2** Prior to construction, the applicant shall provide an acoustical analysis to ensure existing construction methods are adequate to insure interior dwelling unit noise levels of 45 dBA or less are maintained for future ambient noise levels. If necessary, appropriate noise insulation measures shall be identified and included in the construction documents to the satisfaction of the City Building Division.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall submit an acoustical analysis to the Building Division prior to the issuance of building permits. The City of Sacramento will include any recommended conditions in the project's construction permits. Compliance with all City conditions and mitigation measures will be required in the OPA.	Building Division shall verify compliance prior to issuing building permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.4.3 Construction-induced vibration impacts.**

**Mitigation:**

- 6.4.3a Implement Mitigation Measure 6.4.1c.
- 6.4.3b Document the condition of the existing historic building and structures to facilitate the repair of potential construction damage.
- 6.4.3c Provide protective coverings or temporary shoring of historic features in consultation with the Preservation Director.
- 6.4.3d Examine all adjacent buildings during construction for the occurrence of new cracks or signs of distress.
- 6.4.3e If fire sprinkler failure failures are reported in surrounding office buildings to the disturbance coordinator, the contractor shall provide monitoring during construction and repairs to sprinkler systems shall be provided.
- 6.4.3f Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred, and to avoid any further structural damage.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall provide verification to the Building Division that the pre-existing condition of adjacent and sensitive buildings has been assessed and recorded prior to the issuance of construction permits. The Building Division will include conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify compliance prior to issuing building permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**MICROCLIMATE**

**Impact 6.5.4 Project Wind Effects - Pedestrian Comfort**

**Mitigation:**

6.5.4a Landscaping plans shall include street trees on centers that allow the tree canopies to grow together within 5 to 10 years.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall provide landscape plans that identify the spacing and appropriate species for approval by the City Arborist prior to the issuance of construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify approval by the City Arborist prior to issuing building permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.5.5**

**Wind Hazard Conditions**

**Mitigation:**

- 6.5.5a** Plant large street trees along 8th, J and 9th streets over the length of the project site. The trees shall reach heights of approximately 45 feet and shall be spaced no more than 40-50 feet apart.
- 6.5.5b** If feasible, plantings of similar trees in eastern half of the Alley also might mitigate the wind hazard there (location 10). If plantings are not practicable, modification of the project design or the inclusion of a structural screen, ledge or setback 10 to 20 feet deep on the project building at a height of 20 to 40 feet above that location shall be provided to mitigate the wind hazard that occurs there. Otherwise, limitation of access to the area or posting of the area with warnings is required.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
<p>The applicant shall provide landscape plans that identify the spacing and appropriate species for approval by the City Arborist prior to the issuance of construction permits. Landscaping, redesign or signage for the Alley shall be implemented to the satisfaction of the Design Review staff and the identified mitigation included in the project conditions and forwarded to the Building Division. Compliance with all city conditions and mitigation measures will be required in the OPA.</p>	<p>Building Division shall verify approval by the City Arborist prior to issuing building permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.</p>
<p>Checked: (initials) _____ (date) _____            comments: _____            _____            _____</p>	<p>Checked: (initials) _____ (date) _____</p>

**WASTEWATER, STORM WATER, WATER QUALITY & FLOODING**

**Impact 6.6.1 Substantial increases to CSS flows**

**Mitigation:**

6.6.1 If mitigation of impacts is not practical, the developer must enter into an impact fee agreement with the City. The fee, as yet to be determined, will be used for improvements to the CSS.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall work with the Department of Utilities to mitigate impacts to the CSS. If mitigation of impacts is not practical as determined by Utilities, the applicant shall pay a mitigation fee as determined by Utilities.	Utilities shall provide verification of payment of fees to the Building Division, prior to issuing occupancy permits. Applicant shall submit copy of fee verification to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.6.2 Cumulatively Exceed Contracted Amount of Sewage to the Sacramento Regional County Sanitation District**

**Mitigation:**

**6.6.2** The developer shall pay all required SRCSD Impact Fees for the proposed new development to provide for its fair share cost of the construction of relief interceptor sewer and treatment facilities.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall provide verification of payment of fees to the Metro Place Project Manager, Downtown Development Group.	Building Division shall verify fee payment with the City Utilities Department prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: _____ (initials) _____ (date) _____



**Impact 6.6.3 Combined sewer service system impacts from de-watering activities.**

**Mitigation:**

- 6.6.3a** Construction contract documents shall include provisions for the proper handling and disposal of contaminated dewatering water in accordance with federal, state, and local requirements.
- 6.6.3b** If the City or SRCSD determines that groundwater extracted during dewatering activities does not meet applicable standards for discharge into the city sewer system, the contractor shall implement groundwater treatment systems that treat groundwater to standards established by the CVRWQCB, City and SRCSD.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall submit contractor conditions to the City Utilities Department for review. The Building Division will incorporate approved conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify the City Utilities Department review and approval prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.6.4 Potential of Flooding in Project Basement Facilities.**

**Mitigation:**

**6.6.4** The building shall meet building design specifications that will prevent basement level flooding to the satisfaction of the Building Department and Department of Utilities. Such building design specifications could include floodproofing or locating electrical equipment above the basement level, floodproofing doors on all openings into the alley, installing backflow valves on sanitary sewer and storm drain connections to prevent water from entering the basement through the plumbing fixtures and floor drains, providing a groundwater barrier, and installing sump pumps.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The applicant shall submit building design specifications to the City Utilities Department for review and approval. The Building Division will incorporate approved conditions in the project's construction permits. Compliance with all city conditions and mitigation measures will be required in the OPA.	Building Division shall verify the City Utilities Department review and approval prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
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**CULTURAL AND HISTORIC RESOURCES**

**Impact 6.7.1 Loss or degradation of undiscovered prehistoric and historic resources.**

**Mitigation:**

**6.7.1** Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include, but are not limited to, researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The City of Sacramento will include the condition in the project's construction permits. Contractor will contact City Preservation Director if resources encountered. Compliance with all city conditions and mitigation measures will be required in the OPA. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.	Building Division shall verify compliance during construction. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.
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**Impact 6.7.2 Alteration or demolition of historic structures**

**Mitigation:**

- 6.7.2a The relocation and restoration of the Batchelder tiled facade of the Coolot Building shall be conducted according to the *Secretary of Interior's Standards for the Treatment of Historic Properties*. The new setting of the Coolot Building facade shall be appropriate to its image and design. Actual installation of the tile into the new site shall be implemented with expertise and sensitivity to the resource.
- 6.7.2b Prior to any demolition, the exterior and intact original interior portions of the Coolot Building shall be recorded according to the Historic American Building Survey (HABS) standards. Recordation shall consist of 4"x5" View camera photo-documentation and a written description of the building.
- 6.7.2c A segment of the barrel-vaulted sidewalk structure showing an iron-doored ground floor entry, former street-level window openings, and several sections of the sidewalk-supporting brick barrel-vaults shall be retained and rehabilitated as an interpretive public display. Physical access from the underground garage and visual access from the sidewalk will be incorporated into the display. Both physical and visual access shall be adequate for understanding the resource and inviting to the public.
- 6.7.2d Prior to demolition of the remainder of the sidewalk structure, the overall structure as exposed at alley/ground level, shall be recorded in accord with HABS standards. Recordation shall consist of 4"x5" View camera photo-documentation and a written description of the structure.
- 6.7.2e The Coolot/Comstock Building shall be de-listed from the National Register of Historic Places and from the Sacramento Official Register. It shall be the project sponsor's responsibility to work with the City and the State Office of Historic Preservation (OHP) to undertake these tasks.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
Final designs shall be approved by the DRPB. A copy of the HABS shall be conveyed to the Metro Place Project Manager, Downtown Development Group, the City Preservation Director and the Sacramento History Museum and Archives Center. Verification of submittal shall be provided to the Building Division prior to issuance of the demolition permit. De-listing documentation shall be prepared and forwarded to the OHP and Advisory Council on Historic Preservation.	The applicant shall submit verification that the HABS was conveyed to the Preservation Director, Sacramento History Museum and Archives Center, and the de-listing documentation to the OHP and ACHP. Include copy of HABS and de-listing in MMP file.
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**MICROWAVE, RADAR AND RADIO TRANSMISSIONS**

**Impact 6.8.3 Interference with in-building police and fire communications**

**Mitigation:**

**6.8.3** The project sponsor shall determine if in-building radio amplification is needed to provide the minimum signal levels required for public safety radio communications (PS). If amplification is needed, the project sponsor shall install a Radio Re-radiation System tuned to the SRRCS public safety radio band. The lower levels of the building shall have a bi-directional amplifier (BDA) radio system to work with the existing SRRCS public safety radio band, an 800 MHz PS trunked radio system. The system shall receive outbound traffic from the PS system via a rooftop antenna, amplify it, and rebroadcast it through a distributed antenna system in the lower levels of the building. The BDA shall also receive PS radio signals from the lower floors of the building, amplify them, and rebroadcast them through the rooftop antenna back to the PS radio system. The rooftop antenna shall be directional in nature and have a line of sight path to the PS antenna on top of the Sacramento County Jail. Since there are a large number of radio signals in the downtown area, the system shall be broadband enough to pass signals from 821 to 824 MHz and signals from 866 through 869 MHz. Band pass filters shall block all other signals. Floors above the first level shall have adequate PS radio coverage without additional amplification. Each radio system must be custom designed for the structure requiring radio coverage.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
Prior to issuance of a occupancy permit, provide verification from the County Communications Division that the installed system is adequate. Compliance with all conditions and mitigation measures will be required in the OPA.	Applicant shall submit copy of CCD verification to the Metro Place Project Manager, Downtown Development Group. Include with copy of OPA in MMP file.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____

**Impact 6.8.4 Interference with the Automated Local Evaluation in Real Time System**

**Mitigation:**

**6.8.4** The project sponsor shall install a receiving antenna on top of the office tower in a manner consistent with the Sacramento Urban Design Plan. The receiving antenna would be connected directly to 700 H Street via wires, not via a transmitting antenna. The facilities may be included with other necessary communication equipment.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
Prior to issuance of a occupancy permit, the Building Division shall receive verification from the County Communications Division that the installed system is adequate. Compliance with all conditions and mitigation measures will be required in the OPA.	Applicant shall submit copy of CCD verification to the Metro Place Project Manager, Downtown Development Group. Include with copy of OPA in MMP file.
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**URBAN DESIGN AND AESTHETICS**

**Impact 6.9.2 Substantial alteration to the project area's visual characteristics**

**Mitigation:**

**6.9.1a** The building materials, colors, and building facade treatments will be in conformance with the Sacramento Urban Design Plan and Section 2.98 of the Comprehensive Zoning Ordinance, and will be approved by the Design Review and Preservation Board.

MITIGATION / REPORTING PROCEDURE	VERIFICATION PROCEDURE
<p>The City Design Review staff will include conditions in the project's final design approvals, and forwarded to the Building Division. Compliance with all city conditions and mitigation measures will be required in the OPA. Applicant shall submit copy of approved final designs to the Metro Place Project Manager, Downtown Development Group.</p>	<p>Building Division shall verify compliance during construction, prior to issuing occupancy permits. Applicant shall submit copy of construction conditions to the Metro Place Project Manager, Downtown Development Group.</p>
<p>Checked: (initials) _____ (date) _____            comments: _____            _____            _____</p>	<p>Checked:            (initials) _____ (date) _____</p>

**FIRE PROTECTION**

**Impact 6.10.1 Cumulative Demand for Fire Services.**

**Mitigation:**

- 6.10.1a The Sacramento City Fire Department shall prepare a nexus report to identify the Department's need for a new fire station and company in the Central City, the timing for a new station and company that would ensure adequate response times are maintained downtown, and the fair share cost that should be applied to new development.
- 6.10.1b The project proponent shall agree to pay the fair share assessment amount identified in a SCFD nexus study and approved by the City Council. This assessment shall be payable to the Sacramento City Fire Department for allocation to a new fire station and company in the Central City.

MITIGATION PROCEDURE	VERIFICATION PROCEDURE
The fire department shall provide a resolution from the City Council ordering payment of fair share assessments and implementing regulations. Developer shall provide verification of payment of fees to the Metro Place Project Manager, Downtown Development Group. Compliance with all city conditions and mitigation measures will be required in the OPA.	Include copy of fire assessment regulations and copy of receipt of assessment in MMP file. Include copy of OPA and construction conditions in MMP file.
Checked: (initials) _____ (date) _____ comments: _____ _____ _____	Checked: (initials) _____ (date) _____