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DEPARTMENT

PLANNING DIVISION

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July 26, 2004

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: Councilmember Call Up & Appeal of the Promenade at Natomas (P00-033)**

- A. ENVIRONMENTAL DETERMINATION:** Environmental Impact Report;
- B. MITIGATION MONITORING PLAN;**
- C. DEVELOPMENT AGREEMENT;**
- D. GENERAL PLAN AMENDMENT** amending the land use designation of 126.4± gross acres from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use;
- E. COMMUNITY PLAN AMENDMENT** amending the land use designation of 126.4± gross acres from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads;
- F. REZONE** from 126.4± gross acres of Agricultural Planned Unit Development (A PUD) to 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD);
- G. PLANNED UNIT DEVELOPMENT ESTABLISHMENT** to establish the Promenade at Natomas Planned Unit Development including the Promenade at Natomas PUD Guidelines and the Promenade at Natomas PUD Schematic Plan, consisting of approximately 751,000± square feet of retail uses and 504,000 square feet of employment center uses;
- H. TENTATIVE SUBDIVISION MAP** to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres;
- I. SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone;
- J. SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.



**LOCATION AND COUNCIL DISTRICT:** North of Interstate 80, East of Truxel Road and Gateway Park Boulevard. (APN: 225-0160-086) Council District 1

**RECOMMENDATION:** Planning Commission recommends the City Council **deny** entitlements C, D, E, F and G and **approve** entitlements H-J (below). An explanation of this mixed recommendation is provided below under Committee/Commission actions. Planning Staff recommends the City Council deny the appellant's appeal and approve the above listed entitlements by taking the following actions:

- A/B.** Adopt the attached Resolution Certifying the Environmental Impact Report and approving the Mitigation Monitoring Plan;
- C.** Adopt the attached Ordinance approving the Development Agreement;
- D.** Adopt the attached Resolution amending the General Plan Land Use Map by amending 126.4± gross acres from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use;
- E.** Adopt the attached Resolution amending the North Natomas Community Plan Land Use Map by amending 126.4± gross acres from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads;
- F.** Adopt the attached Ordinance amending the districts established by the Comprehensive Zoning Ordinance (Title 17 of the City Code) by rezoning of 126.4± gross acres of Agricultural Planned Unit Development (A PUD) to 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD);
- G.** Adopt the attached Resolution establishing the Promenade at Natomas PUD including the Promenade at Natomas PUD Guidelines and the Promenade at Natomas PUD Schematic Plan, consisting of approximately 751,000± square feet of retail uses and 504,000 square feet of employment center uses;
- H-J.** Approve the attached Notice of Decision and Findings of Fact denying the appeal of the Tentative Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres, the Special Permit to allow construction of 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone, and the Special Permit to allow construction of 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.

**CONTACT PERSON:** Greg Bitter, Associate Planner, 808-7816  
David Kwong, Senior Planner, 808-2691

**FOR COUNCIL MEETING OF:** August 10, 2004 (evening)

**002**

**SUMMARY:** The applicant proposes to develop approximately 126.4± gross acres of vacant land north of Interstate 80 and east of Truxel Road and Gateway Park Boulevard. The property to be developed by the OPUS West Corporation is known as the Promenade at Natomas Planned Unit Development (PUD). The applicant is proposing to develop a regional retail shopping center on the site as well as an office complex. This proposal establishes the legislative entitlements (General Plan and Community Plan Amendments, Development Agreement, Rezoning, PUD), which are referred to as "first stage" entitlements, as well as Tentative Subdivision Map and Special Permit approvals for the regional retail uses and the employment center support retail uses. Further entitlements (i.e., Special Permits) will be required prior to development of the office buildings. At build-out, the Regional Retail portion of the project will include: 751,000± square feet of regional retail uses, including two (2) big-box retail buildings (100,000 square feet and greater), 13 major retail buildings (between 10,000 and 100,000 square feet), two (2) junior retail buildings (single users, less than 10,000 square feet), eight (8) shop buildings (consisting of in-line retail tenants), 10 pad retail buildings (single and multi-user), 10 "village retail" buildings (forming a pedestrian scale retail village in the center of the site), and one (1) fueling center that is associated with a big-box user. At build-out, the Employment Center portion of the project will include: 504,000 square feet of employment center uses, including two support retail pad buildings and five (5) office buildings.

The Promenade at Natomas project was called-up by Councilmember Tretheway on April 30, 2004 (Attachment D, page 214 of this report). Subsequently, an appeal of the project was filed on May 3, 2004 by Marcus J. Lo Duca on behalf of E.J. Plesko and Associates Inc (Attachment E, page 215 of this report). As a matter of process, the final action of the tentative map and the special permit rests with the Planning Commission unless appealed or called-up. The entitlements of this project, including the Development Agreement, General Plan Amendment, Community Plan Amendment, Rezone, PUD Guidelines, and Schematic Plan required final action by the City Council. Since the Tentative Map and the Special Permits have been called-up and appealed, the Council is now being requested to act upon all of the requested entitlements (items A through J).

The reasons stated for the appeal include inadequacy of the EIR, inadequacy of infrastructure to handle project impacts, adverse impact on future Light Rail line, adverse impacts on Natomas Center Project, adverse impacts on North Natomas Finance Plan, adverse impacts on smaller North Natomas retail centers, inconsistency with City's land use demand study. (See Attachments E and F, pages 215-230 of this report). It is staff's position and the recommendation of the Planning Commission that the project is consistent with the policies of the General Plan and North Natomas Community Plan as presented in the policy consideration section below.

**COMMITTEE/COMMISSION ACTION:** On April 22, 2004, the Planning Commission voted (four ayes, two noes) to approve the project. However, legislative entitlements require a minimum of 5 affirmative votes (pursuant to City Planning Commission adopted rules and procedures) in order to be forwarded to City Council with a recommendation of approval. As a result of the Planning Commission's vote, the Commission's recommendation is to **deny** the Development Agreement, General Plan Amendment, Community Plan Amendment, Rezone and PUD establishment entitlements. The Commission's vote did certify the EIR, approve the Mitigation Monitoring Plan, approve the Tentative Map subdividing one parcel into 33 parcels, approve the Special Permit to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station, and approve a Special Permit to construct 14,000± square feet of buildings for retail use.



## BACKGROUND INFORMATION:

- On May 3, 1994, the City Council adopted the 1994 North Natomas Community Plan (Resolution No. 94-259).
- On March 1, 2000, the applicants submitted a proposal requesting entitlements that would allow the development of 790,000± square feet of regional retail uses on 84.9± net acres. This original application did not include any information regarding the remaining 34.9± net acres located at the northeast portion of the site.
- On November 22, 2000, the applicants submitted a revised project that included four alternative land use proposals. The four proposals included: 1) "Retail" consisting of 100% of the site developed as a 1,250,000± square foot regional shopping center; 2) "Office #1" consisting of 800,000± square feet of regional shopping center on the south and northwest parcels and 850,000± square feet of offices on the northeast parcel; 3) "Office #2" consisting of 540,955± square feet of regional shopping center on a portion of the south and northwest parcels and 1,339,045± square feet of offices on the remainder of the south and northeast parcels; and 4) "Light Industrial" consisting of 800,000± square feet of regional shopping center on the south and northwest parcels and 700,000± square feet of warehousing/light industrial uses on the northeast parcel.
- Between January 2001 and March of 2002, the applicants submitted numerous development scenarios, with various mixes of office, retail and light industrial uses, for the project site. During the review of these scenarios, it was determined by the applicant and City staff that a proposal, including an auto-mall component, might be feasible. Between May 2002 and September 2002, the applicant and staff discussed several land use options that would include an auto-mall component.
- On September 13, 2002, the applicants submitted a revised project that would allow the development of approximately 50± net acres of auto-mall uses, 27± net acres of warehouse retail uses and 27± net acres of employment center uses. At this time, and in response to recent City Council policy direction (i.e. Coral Business Center decision in support of employment center uses adjacent to the Downtown/Natomas Airport light rail corridor), the applicant committed to developing approximately 500,000± square feet of office uses on the existing employment center designated land. On June 4, 2003, the applicants withdrew their application for the auto-mall component of the project.
- On October 27, 2003, the applicants submitted a revised project for the development of 504,000± square feet of office uses and 751,000± square feet of regional retail uses. The project, now before the Council, is a result of several refinements of this revised project. This project concentrates the office uses close to the light rail corridor and provides pedestrian connectivity throughout the site and towards the future light rail station. The retail uses are divided into two areas. To the north of proposed North Freeway Boulevard are more traditionally oriented retail uses, laid out along the northern and eastern border of the site. To the south of proposed North Freeway Boulevard the retail center is oriented in a pedestrian village format. A complete description of the project is provided in the attached Planning Commission staff report (pages 245-248 of this report).
- At the April 22, 2004 Planning Commission Hearing, three citizens provided testimony in opposition to the project. Their concerns focused on negative traffic impacts, negative air quality impacts and lack of pedestrian oriented design. At the meeting the Planning Commission was presented a letter, dated April 21, 2004, from Marcus Lo Duca, on behalf of E.J. Plesko and Associates, Inc., outlining their opposition to the project (see Attachment F, pages 216-230 of this report). Neither Mr. Lo Duca nor any representative of E.J.

Plesko and Associates, Inc., attended the Planning Commission hearing to elaborate on their opposition.

- On May 20, 2004, staff received a letter from John Taylor, on behalf of the project applicants, responding to the issues raised by Mr. Lo Duca (see Attachment H, pages 232-238 of this report).

**FINANCIAL CONSIDERATIONS:** The proposed project is subject to the North Natomas Finance Plan (NNFP). The applicant and the City are discussing two options to finance the required infrastructure for this project. Option One would have the applicant pay NNFP fees at the rates for the existing land use designations and construct all necessary public infrastructure improvements associated with the project. Option Two would have the applicant pay NNFP fees at the rates for the proposed land use designations and incorporate all necessary public infrastructure improvements into the NNFP. It has been determined that no negative impact to the NNFP or additional burden to other North Natomas Developers shall be allowed regardless of the option chosen.

**ENVIRONMENTAL CONSIDERATIONS:** In accordance with CEQA Guidelines, Section 15081, Environmental Planning Services (EPS) determined that an EIR should be prepared for the proposed project. As per CEQA Guidelines, Section 15088.5, a Recirculated Draft EIR (RDEIR) was prepared for the proposed project after the previously proposed project for the site was withdrawn by the project applicant and a revised project was submitted by the applicant. "Project Alternative B" from the prior Draft EIR was revised to become the proposed project that is analyzed in the RDEIR presented for adoption.

The RDEIR identified significant impacts for traffic, air quality, noise, biological resources, drainage and cultural resources. Mitigation measures were identified to reduce many project impacts to a less-than-significant level. However, significant and unavoidable impacts remain for traffic, noise and air quality. A Mitigation Monitoring Plan (MMP) that lists all of the mitigation measures and required implementing actions was prepared and is attached (Exhibit 1 of the attached EIR Resolution). The Findings of Fact and Statement of Overriding Conditions, as required by CEQA, were prepared and are attached (EIR Resolution, page 8 of this report).

The RDEIR was prepared and released for a 50-day public review period on December 15, 2003. The comment period ended on February 2, 2004. The RDEIR was circulated to the Office of Planning and Research for state agency review and posted at the County. The RDEIR was noticed in the Daily Recorder and the Sacramento Bee in addition to the Notice of Availability being mailed to interested agencies, community groups and individuals. Copies of the RDEIR were made available at the South Natomas Community Library and at the Planning and Building Department at 1231 I Street, Room 300.

Comment letters on the RDEIR were received from Caltrans, County Sanitation District 1, Regional Transit and several members of the public. The comments received relate to the transportation circulation system, traffic impacts, traffic mitigation measures, the transportation analysis, light rail alignment, pedestrian and bicycle connectivity, and infrastructure constraints. The comment letters are provided in the Final Environmental Impact Report made available to the Council as a separate attachment.

**POLICY CONSIDERATIONS:** The proposed project requires an amendment to the City's General Plan and North Natomas Community Plan (NNCP) land use designations to convert approximately

91.25± gross acres of light industrial designated land to a regional retail designation. The proposed project is supported by several General Plan and NNCP policies. A detailed policy analysis is provided in the attached Planning Commission staff report (pages 248-257 of this report).

**Smart Growth Principles** - City Council adopted a set of Smart Growth Principles in December 2001 in order to promote growth that is economically sound, environmentally friendly, and supportive of community livability. Smart Growth encourages:

- Mix land uses and support vibrant city centers
- Promote distinctive, attractive communities
- Concentrate growth and investments in existing communities
- Provide a variety of transportation choices
- Encourage citizen & stakeholder participation in development decisions

The proposed project is designed to incorporate many of the Smart Growth Principles listed above.

**Strategic Plan Implementation-** The proposed project conforms with the City of Sacramento Strategic Plan, specifically the project conforms with the goal to enhance and preserve neighborhoods by directing new development (and supportive infrastructure) to existing developed areas, allowing for efficient use of existing facilities, features and neighborhoods. The project also supports the City's goal to promote and support economic vitality by designating appropriate locations for the placement of commercial services.

**ESBD CONSIDERATIONS:** No goods or services are being purchased under this report.

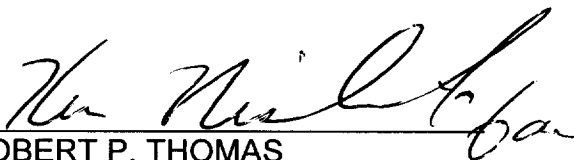
Respectfully submitted,

Respectfully submitted,

  
\_\_\_\_\_  
GARY L. STONEHOUSE  
Planning Director

  
\_\_\_\_\_  
MICHAEL MEDEMA  
Interim Director  
of Development Services

RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
ROBERT P. THOMAS  
City Manager

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# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE PROPOSED PROMENADE AT NATOMAS PLANNED UNIT DEVELOPMENT PROJECT, LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

THE CITY COUNCIL OF THE CITY OF SACRAMENTO DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

## **I. CEQA FINDINGS**

The City Council finds that the Recirculated Environmental Impact Report for the Promenade at Natomas project (herein REIR) which consists of the Draft REIR, and Final EIR (Responses to Comments) and Appendices, 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.

The City Council certifies that the REIR 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.

The City Council certifies that the REIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.

Pursuant to CEQA Guidelines section 15093, and in support of its approval of the Promenade at Natomas Project, the City Council hereby adopts the attached Findings of Fact and a Mitigation Monitoring Program (attached hereto as Exhibit 1) to require all reasonably feasible mitigation measures be implemented.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## II. PROCEDURAL FINDINGS

1. The City of Sacramento caused an Environmental Impact Report (EIR) on the Project to be prepared pursuant to CEQA, 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 (NOP) of the Draft EIR was filed with the Office of Planning and Research on September 4, 2002 and was circulated for public comments from September 4, 2002 to October 4, 2002.
3. A Notice of Completion (NOC) and copies of the Draft REIR were distributed to the State Clearinghouse on December 15, 2003 to those public agencies that 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.
4. An official forty-five (45) day public review period for the Draft REIR was established by the State Clearinghouse. However, due to the holidays city staff extended the public comment period an additional 5 days. The public review period began on December 15, 2003 and ended on February 2, 2004.
5. A Notice of Availability (NOA) was distributed to all interested groups, organizations, and individuals on December 15, 2003 for the Draft REIR. The Notice of Availability stated that the City of Sacramento had completed the Draft REIR and that copies were available at the City of Sacramento, Planning and Building Department, 1231 I Street, Room 300, Sacramento, California 95814. The letter also indicated that the official public review period for the Draft REIR would end on February 2, 2004.
6. A public notice was placed in The Daily Recorder and the Sacramento Bee on December 15, 2003 which stated that the Promenade at Natomas Project Draft REIR was available for public review and comment.
7. Following closure of the public comment period, a Final REIR was prepared to incorporate comments received on the Draft REIR and the City's responses to said comments.
8. 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 City Council makes the following determinations:

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DATE ADOPTED: \_\_\_\_\_

- A. The REIR consists of the Draft REIR, and Final REIR (Responses to Comments) and appendices.
  - B. The REIR was prepared and completed in compliance with CEQA.
  - C. The REIR has been presented to the City Council which reviewed and considered the information therein prior to acting on the Promenade at Natomas Project proposal, and they find that the REIR reflects the independent judgment and analysis of the City of Sacramento.
9. The following information is incorporated by reference and made part of the record supporting these findings:
- A. The Draft and Final REIR and all documents relied upon or incorporated by reference including:
    - City of Sacramento General Plan, City of Sacramento, January 1988;
    - Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March 1987;
    - Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988;
    - North Natomas Community Plan, City of Sacramento, 1994;
    - Zoning Ordinance, City of Sacramento, Revised May 2003; and
    - Promenade at Natomas/Sacramento Auto Loop Project, Draft EIR (SCH# 2000072035), April 2003.
  - B. The Mitigation Monitoring Plan dated April 2004 (attached hereto as Exhibit 1).
  - C. Testimony, documentary evidence and all correspondence submitted or delivered to the City in connection with the City Council hearing on this project and the associated REIR.
  - 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.

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DATE ADOPTED: \_\_\_\_\_

### **III. FINDINGS OF FACT REGARDING THE RECIRCULATED ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PROMENADE AT NATOMAS PROJECT**

The Recirculated Environmental Impact Report for the Promenade at Natomas project, prepared in compliance with CEQA, evaluates the potentially significant and significant adverse environmental impacts that could result from adoption of the project or an alternative to the project.

The site for the proposed Promenade at Natomas project is located on 126.4 acres within the City of Sacramento's North Natomas Community Plan area. Light industrial uses within the City limits are located to the north of the project site and industrial office uses are located to the north and east of the site within the County. Interstate 80 (I-80) is located to the south; vacant land, Truxel Road, and the Natomas Marketplace shopping center are to the west of the Proposed Project site.

The Proposed Project site consists of 30.27± acres designated as Employment Center-50 (EC-50), 91.25± acres designated as Light Industrial uses and 4.88± acres of roadways under the NNCP. Under the City's General Plan, the project site designates 30.8 acres for Mixed Use Commercial and 95.6 acres for Heavy Commercial/Warehouse. The site is currently zoned as A-PUD (Agriculture - Planned Unit Development). Access to the project site from the north, south and west is provided by I-80, Truxel Road, and Gateway Park Boulevard. Access from the east is provided via North Freeway Boulevard.

Project objectives for the project include the following:

- Increase economic activity and value in the City by developing retail and office uses that are complementary to the adjacent Natomas Marketplace, office and industrial uses.
- Provide for an appropriate use of unique property located near the I-80 and Interstate-5 (I-5) interchange with frontage along I-80.
- Provide additional employment opportunities within the City by developing office and retail uses.
- Develop detailed design guidelines for the project that meet the City's requirements and establish a functional and effective organization of buildings, circulation and parking; create a pleasant and distinctive environment; create a distinctive but compatible building image; create a safe and distinctive nighttime environment; and provide identity and information for tenants and users of the site through attractive signage while avoiding visual competition.

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DATE ADOPTED: \_\_\_\_\_



Because the REIR indicates that implementation of the project (or project alternatives) would result in certain adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of the project, as identified in the EIR.

#### **A. SIGNIFICANT IMPACTS THAT CAN BE AVOIDED**

Finding – As authorized by Public Resources Code section 21081 and Title 14, California Administrative Code sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental impacts listed, below, as identified in the Initial Study and the REIR. The City further finds that these changes or alterations in the project are within the jurisdiction of the City to require, and that these measures are appropriate and feasible.

These Findings of Fact include mitigation measures that were identified in the Promenade at Natomas Project REIR.

The City finds that the Mitigation Monitoring Plan for the Promenade at Natomas Project ensures compliance with the adopted mitigation measures by identifying the party or parties with the responsibility for implementing each mitigation measure, providing a mechanism for verifying compliance by tying the implementation of each mitigation measure to specific approvals and identifying the party responsible for monitoring the implementation of each mitigation measure.

#### **Impacts Identified in the REIR**

In the findings that follow, the City identifies the impacts and mitigation measures identified in the Promenade at Natomas REIR associated with development of the Proposed Project.

1) Impact 7.2-1: Intersections

a. Significant Impact

The prior Retail Project development scenario (PPB) would provide no automall use and would provide approximately 740,000 sf of regional retail uses and 772,500 sf of office/retail uses. Intersection operating conditions associated with the baseline plus Proposed Project scenario are summarized in Table 7.2-11. Although the revised Proposed Project is smaller, the EIR analysis assumes the larger project would be developed.

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DATE ADOPTED: \_\_\_\_\_

This development scenario would cause **significant impacts** at the following intersections:

- Northgate Boulevard/Del Paso Road – traffic associated with the Proposed Project would degrade the level of service at the intersection of Northgate Boulevard and Del Paso Road from LOS C to LOS D during the a.m. peak hour. The intersection would operate at LOS F during the p.m. peak hour, with an average delay increase of 15 seconds due to the project. This is considered a **significant impact**.
- Arena Boulevard (North Market Boulevard)/Gateway Park Boulevard - traffic associated with the Proposed Project would degrade the level of service at the intersection of Arena Boulevard from LOS C to LOS D during the p.m. peak hour. This is considered a **significant impact**.
- North Market Boulevard/North Freeway Boulevard - traffic associated with the Proposed Project would degrade the level of service at the intersection of N. Market Boulevard from North Freeway Boulevard from LOS B to LOS F during the p.m. peak hour. This is considered a **significant impact**.
- Truxel Road/Gateway Park Boulevard - traffic associated with the Proposed Project would degrade the level of service at the intersection from LOS B to LOS F during the a.m. peak hour, from LOS C to LOS D during the p.m. peak hour, and from LOS C to LOS D during the Saturday peak hour. This is considered a **significant impact**.
- Truxel Road/San Juan Road – traffic associated with the Proposed Project would degrade the level of service at the intersection from LOS E to LOS F. during the a.m. peak hour. During the p.m. peak hour, the intersection would operate at LOS D. This is considered a **significant impact**.
- Gateway Park Boulevard/North Freeway Boulevard – this new intersection would operate at LOS E during the Saturday peak hour if constructed as shown in Figure 7.2-5. This is considered a **significant impact**.

b. Facts in Support of Finding

The following mitigation measures from the Promenade at Natomas Project Draft REIR would ensure that impacts to intersections are less than significant:

Implement Mitigation Measure 7.2-1 (Draft REIR page 7.2-29 - 7.2-30)

(a) **Northgate Boulevard/Del Paso Road** - A traffic signal shall be installed with protected left turn signal phasing for eastbound and

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westbound approaches and split signal phasing for the northbound and southbound approaches. An overlap traffic signal phasing shall be provided to allow northbound Northgate Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound Del Paso Road left turning movement, and prohibit U-turns for the westbound left turning movement.

**(b) Arena Boulevard (North Market Boulevard)/Gateway Park Boulevard** - Overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.

**(c) North Market Boulevard/North Freeway Boulevard** - A traffic signal with protected left turn signal phasing shall be installed for the westbound North Market Boulevard approach. Overlap traffic signal phasing shall be provided to allow northbound North Freeway Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.

**(d) Truxel Road/Gateway Park Boulevard** - The four-lane approach to the intersection from the Natomas Marketplace shall be converted to provide a left-turn lane, a combination left-through lane, and two right turn lanes. An overlap traffic signal phasing shall be provided to allow right turning traffic to proceed on a green arrow simultaneously with the northbound Truxel Road left turning movement, and prohibit U-turns for the northbound left turn movement; and

The five-lane approach to the intersection from Gateway Park Boulevard shall be converted to provide three left turn lanes, a through lane, and a right turn lane; and

An overlap traffic signal phasing shall be provided to allow northbound Truxel Road right turning traffic to proceed on a green arrow simultaneously with the southbound Gateway Park Boulevard left turning movement, and prohibit U-turns for the southbound left turn movement; and

Split phasing for the northbound Natomas Marketplace approach and the southbound Gateway Park Boulevard approach shall be provided.

**(f) Gateway Park Boulevard/North Freeway Boulevard** - A left turn lane shall be added to the southbound Gateway Park Boulevard approach to provide two left turn lanes and two through lanes; and

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An overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Freeway Boulevard left turning movement, and prohibit U-turns for the westbound left turn movement.

2) Impact 7.2-3: Bikeways

a. Significant Impact

Development of the project would result in the addition of employees, visitors, and shopping patrons to the project site, some who would travel by bicycle. A Class I bike trail is shown on the Sacramento Bikeway Master Plan that would pass through the Proposed Project site. The Proposed Project could interfere with implementation of the bikeway system proposed for North Natomas. This would be a ***significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to bikeways are less than significant:

Implement Mitigation Measure 7.2-3. (Draft REIR, page 7.2-33)

A Class I bike trail or Class II bike lane shall be provided through the Proposed Project site in accordance with the Sacramento Bikeway Master Plan.

3) Impact 7.2-6: Transit Ridership.

a. Significant Impact

Regional Transit Routes 13 and 14 currently serve the project site with a total of four buses during the a.m. peak hour and two during the p.m. peak hour. The buses on these routes have a capacity of 40 passengers per vehicle for a total capacity of 160 passengers during the a.m. peak hour and 80 passengers during the p.m. peak hour.

The peak direction of patronage along these routes during the weekday commute is toward the Arden/Del Paso Light Rail Station (toward downtown Sacramento) during the a.m. peak hour and away from downtown during the p.m. peak hour. The demand for transit service to the project site would be in the reverse direction of the peak commuter demand.

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The prior retail project was projected to generate 83 transit riders during the a.m. peak, and 195 during the p.m. peak hour. The p.m. peak hour demand for transit services would exceed the capacity of the transit system. Therefore, this would be a ***significant impact***.

The total ridership (on a weekly basis) for the Proposed Project would be approximately three times the ridership for the current zoning. The Proposed Project would generate about 27 fewer riders than the current zoning during the a.m. peak hour, but would increase ridership during the p.m. peak hour by 36 riders. Saturday ridership would increase by 225 transit riders.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to transit ridership are less than significant:

Implement Mitigation Measure 7.2-6 (Draft REIR, page 7.2-35)

Funding shall be provided to RT to expand bus transit service sufficient to accommodate the traffic demand at the site. Funding to expand bus transit service may include, but is not limited to, federal, State, and local sources, including fare box receipts.

4) Impact 7.2-7: Traffic Circulation and Safety

a. Significant Impact

Several roadway design aspects were evaluated with regard to traffic circulation and safety. The number of lanes, access control, and centerline radius required on the primary roadways serving the site were evaluated according to the City of Sacramento Street Design Guidelines (Revised December 2001) (see Appendix D). A summary of the standard number of lanes for roadways affected by the Proposed Project is provided in Table 7.2-15.

Based on the daily traffic volumes, the Sacramento Street Design Guidelines identify a need for six through lanes on Gateway Park Boulevard from Truxel Road to North Freeway Boulevard and on North Freeway Boulevard from Gateway Park Boulevard to the Main Project driveway. The site plans show four lane roadways in these sections.

No driveway access would be allowed along Truxel Road (an eight-lane roadway), nor would driveway access be allowed along Gateway Park Boulevard between Truxel Road and North Freeway Boulevard for this

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project, a distance of approximately 850 feet, due to the requirement for 500-foot driveway spacing on six-lane roadways. These access restrictions are necessary to prevent potentially hazardous weaving movements across multiple lanes of heavily traveled streets.

The centerline radius on Gateway Park Boulevard between Truxel Road and North Freeway Boulevard is approximately 1000 feet. The standard radius for this section of six-lane roadway is 1500 feet (based on the Sacramento Street Design Guidelines).

The internal roadway configuration has changed under the Proposed Project; however, the internal roadways will be designed to City standards and must be approved by the City Traffic Engineer. This would ensure impacts associated with internal roadways and driveway placement would be less than significant.

The design elements discussed above could result in substandard levels of safety and would constitute a **significant impact**.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to traffic circulation and safety are less than significant:

Implement Mitigation Measure 7.2-7 (Draft REIR, page 7.2-36)

**(a) Required number of lanes** - Six through lanes shall be provided on Gateway Park Boulevard from Truxel Road to North Freeway Boulevard or Main Project driveway. Driveways shall be prohibited on Truxel Road and Gateway Park Boulevard from Truxel Road to North Freeway Boulevard for this project.

**(b) Centerline radii** - A design that satisfies Caltrans requirements for horizontal curves described in the Highway Design Manual (Figure 203.2) for the six-lane section of Gateway Park Boulevard shall be provided. A combination of centerline radius modifications (standard is 1,500 feet), superelevation (0.06 maximum is standard per Caltrans Design Manual Table 202.2), and/or speed limit restrictions (55 mph is City standard for six-lane streets in North Natomas serving up to 36,000 vehicles daily). A roadway with 1,000-foot centerline radius and 0.08 superelevation would provide a 55 mph design speed. A 0.04 superelevation could be provided if the design speed were reduced to 50 mph and a 1,000-foot radius were used.

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5) Impact 7.2-8: Intersections (cumulative)

a. Significant Impact

The Proposed Project would increase traffic volumes at study area intersections. Intersection operating conditions associated with the cumulative scenario are summarized in Table 7.2-16. **Significant impacts** would occur at the following intersections:

- Del Paso Road/National Drive – the intersection would operate at LOS E during the p.m. peak hour without the Proposed Project, and the Proposed Project would increase the average delay by 15 seconds. This is considered a **significant impact**.
- Northgate Boulevard/Del Paso Road – the intersection would operate at LOS F during the a.m., p.m., and Saturday peak hour under existing conditions. Without the Proposed Project the Del Paso Road/National Drive intersection would operate at LOS E during the p.m. peak hour. Under the project the average delay would increase by 15 seconds. This is considered a **significant impact**.

Increase the average delay at the intersection by 18 seconds during the a.m. and p.m. peak hours, by 8 seconds during Saturday peak hour. This is considered a **significant impact**.

- North Market Boulevard/National Drive - the intersection would operate at LOS F during the a.m. peak hour without the Proposed Project, and the project would increase the average delay by 16 seconds. This is considered a **significant impact**.
- North Market Boulevard/North Freeway Boulevard - traffic would degrade the level of service at the intersection from LOS B to LOS D during the p.m. peak hour. This is considered a **significant impact**.
- Truxel Road/San Juan Road – the intersection would operate at LOS F during the a.m. peak hour without the project, and with the project would increase the average delay by 38 seconds. During the p.m. and Saturday peak hours, the intersection would operate at LOS D, and with the project would increase the average delay by 10 seconds and 12 seconds, respectively. This is considered a **significant impact**.
- Gateway Park Boulevard/North Freeway Boulevard – traffic from the project would degrade the level of service at the intersection

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from LOS C to LOS D during the p.m. and Saturday peak hours. This is considered a **significant impact**.

- Arena Boulevard/Gateway Park Boulevard (additional **significant impact** because the Proposed Project would degrade the level of service at the intersection from LOS C to LOS D during the Saturday peak hour)
- Northgate Boulevard/I-80 East Ramps (additional **significant impact** because the intersection would operate at LOS F during the p.m. peak hour without the project, and with the project would increase the average delay by 16 seconds)
- Truxel Road/I-80 East Ramps – traffic from the project would degrade the level of service at the intersection from LOS D to LOS E during the p.m. peak hour. This is considered a **significant impact**.

b. Facts in Support of Finding

The following mitigation measures from the Promenade at Natomas Project Draft REIR would ensure that impacts to intersections (cumulative) are less than significant:

Implement Mitigation Measure 7.2-8 (Draft REIR, pages 7.2-42 through 7.2-47)

**(a) Del Paso Road/National Drive** - Three through lanes shall be provided in each direction on Del Paso Road in conformance with the North Natomas Community Plan<sup>1</sup>; and

Two lanes shall be added to the northbound National Drive approach to provide two left turn lanes, two through lanes, and one right turn lane; and

One lane shall be added to the southbound National Drive approach to provide two left turn lanes, one through lane, and one combination through-right turn lane.

**(b) Del Paso Road/Northgate Boulevard** - A traffic signal shall be installed with protected left turn signal phasing for eastbound and westbound approaches and split signal phasing for the northbound and southbound approaches; and

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<sup>1</sup> The entire section of Del Paso Road will need to be widened to six lanes within the study area (from Gateway Park Boulevard to Northgate Boulevard) to provide acceptable traffic operations for cumulative conditions.

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For the eastbound Del Paso Road approach, the following shall be provided: one left turn lane, three through lanes, and one right turn lane with overlap signal phasing to allow eastbound Del Paso Road right turning traffic to proceed on a green arrow simultaneously with the northbound Northgate Boulevard left turning movement, and prohibit U-turns for the northbound left turning movement; and

For the westbound Del Paso Road approach, the following shall be provided: two left turn lanes, two through lanes, and a combination through-right turn lane; and

For the northbound Northgate Boulevard approach, the following shall be provided: two left turn lanes, a combination left-through lane, and two right turn lanes with overlap traffic signal phasing to allow northbound Northgate Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound Del Paso Road left turning movement, and prohibit U-turns for the westbound left turning movement.

**(c) Arena Boulevard (North Market Boulevard)/Gateway Park Boulevard** - An overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement. This mitigation measure would improve the level of service from LOS D to LOS C during peak Saturday conditions.

**(d) North Market Boulevard/National Drive** - Two lanes shall be added to the northbound National Drive approach to provide one left turn lane, one through lane, and one right turn lane with overlap phasing to allow northbound National Drive right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement; and

Two lanes shall be added to the southbound National Drive approach to provide one left turn lane, one through lane, and one right turn lane with overlap phasing to allow southbound National Drive right turning traffic to proceed on a green arrow simultaneously with the eastbound North Market Boulevard left turning movement, and prohibit U-turns for the eastbound left turning movement; and

Two lanes shall be added to the eastbound North Market Boulevard approach to provide two left turn lanes, one through lane, and one combination through-right turn lane; and

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One lane shall be added to the westbound North Market Boulevard approach to provide one left turn lane, one through lane, and one combination through-right turn lane.

**(e) North Market Boulevard/North Freeway Boulevard** - A traffic signal shall be installed with protected left turn signal phasing for the westbound North Market Boulevard approach, provide overlap traffic signal phasing to allow northbound North Freeway Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.

**(i) Truxel Road/I-80 East Ramps** - The existing lanes for southbound Truxel Road shall be modified to provide two through lanes and two right turn lanes. This modification would require the approval of Caltrans.

**(k) Truxel Road/San Juan Road** - Implement Mitigation Measure 7.2-1(f); and

An overlap traffic signal phasing shall be provided to allow eastbound San Juan Road right turning traffic to proceed on a green arrow simultaneously with the northbound Truxel Road left turning movement, and prohibit U-turns for the northbound left turning movement.

**(l) Gateway Park Boulevard / North Freeway Boulevard** - Two lanes shall be added to the northbound Gateway Park Boulevard approach to provide two left turn lanes, two through lanes, and two right turn lanes with overlap phasing to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Freeway Boulevard left turning movement, and prohibit U-turns for the westbound left turn movement; and

Two lanes to the southbound Gateway Park Boulevard approach shall be added to provide two left turn lanes, two through lanes, and one right turn lane; and

An overlap traffic signal phasing shall be provided to allow right turning traffic from the Natomas Village Center to proceed on a green arrow simultaneously with the northbound Gateway Park Boulevard left turning movement, and prohibit U-turns for the northbound left turn movement.

6) Impact 7.2-10: Transit Ridership (cumulative)

a. Significant Impact

A light rail transit (LRT) extension, the Downtown-Natomas-Airport (DNA),

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is planned along Truxel Road with construction expected to commence in 2010. The North Natomas Composite Plan Transportation Evaluation (Kittleson & Associates, Inc. 1992) indicates that LRT would capture four percent of the trips that terminate within ¼ mile of a transit station, and three percent of the trips outside that limit. That assumption would indicate that LRT would serve about 540 weekday trips for current zoning – about 70 percent of the total weekday transit trips.

The Proposed Project development scenario would serve about 780 new weekday riders. The planned LRT system will be designed with a capacity to serve development according to the current zoning. During the peak hour of operation, the project would generate about 25 more LRT riders than current zoning – the equivalent of about one-half additional LRT car during the p.m. peak hour. This would be a ***significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to transit ridership (cumulative) are less than significant:

Implement Mitigation Measure 7.2-10 (Draft REIR, page 7.2-50)

Funding shall be provided to expand LRT operations to accommodate the additional project demand for transit services. Funding to expand bus transit service may include, but is not limited to, federal, State, and local sources, including fare box receipts.

7) Impact 7.6-1: Creation of health hazards

a. Significant Impact

A Phase I ESA was performed at the project site by McLaren/Hart in 1999 (Appendix H) and did not identify any hazardous materials release sites located within a one-mile radius of the project site, with the exception of the Natomas Airport, which is located approximately 3,000 feet west of the project site. Although groundwater contamination was reported at the Natomas Airport, groundwater in the vicinity of the airport was determined to flow towards the west and south, away from the project site. Because groundwater contamination at the Natomas Airport site is flowing away from the project site, it would not affect the quality of groundwater underlying the project site and would not present a potential health hazard.

As part of the Phase I ESA, shallow soil sampling was performed at the project site to determine whether historical agricultural activities, such as

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pesticide and herbicide application, had adversely impacted soil at the project site. As previously indicated on Table 7.6-1, the identified pesticides were detected at concentrations significantly below remedial levels for industrial and residential land uses, and were also well below the California threshold for toxicity. Therefore, the soil at the project site does not appear to be contaminated with pesticides or herbicides that could affect human health or the environment. In addition, the Phase I ESA did not identify any evidence of environmental conditions from any adjacent properties that would be a health or safety concern for people at the project site.

It is possible that not all environmental conditions have been reported or identified at the project site, such as buried disposal sites, trash pits, or other underground storage devices. The presence of any of these, either on or adjacent to the project site, could generate conditions that could be a hazard to public health and the environment. Under the Proposed Project, unearthing of any of the aforementioned unknown/potential sites could generate toxic or flammable conditions that could present immediately dangerous situations. The unknown presence and potential discovery of unknown hazards during site preparation and construction (excavation and grading) of the Proposed Project is considered a ***potentially significant impact***.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts associated with health hazards are less-than-significant.

Implement Mitigation Measure 7.6-1 (Draft REIR, page 7.6-8)

If a Phase I Environmental Site Assessment (ESA) has not been prepared for the entire project site, one shall be prepared in conformance with American Society of Testing and Materials (ASTM) standards prior to any site disturbing activities associated with the Proposed Project. If a Phase I ESA has been prepared for a site, but the physical condition of the site or its adjacent properties has substantially changed (i.e., new development), the original Phase I ESA shall be updated by an environmental professional to ensure that the environmental liability associated with the project site has not changed.

If the Phase I ESA concludes there is a potential for adverse site conditions to exist at the project site, soil and/or groundwater samples shall be collected by an environmental professional and analyzed for the appropriate contaminants. If the results of the analytical tests indicate contaminant levels that exceed remedial goals, or are above health and

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safety levels determined to be acceptable by the State for a specific land use, an environmental professional shall contact the Sacramento County Environmental Management District (SCEMD), or the appropriate regulatory agency, for guidance regarding site remediation. The project applicant shall initiate the recommendations of the regulatory agency to ensure that health and safety hazards do not exist.

If, during construction activities, evidence of hazardous materials contamination is observed or suspected through either obvious or implied measures (i.e., stained or odorous soil, or oil or discolored water), construction activities shall cease in the affected area. An environmental professional shall assess the situation and make appropriate recommendations.

8) Impact 7.8-1: Fill of jurisdictional waters of the U.S.

a. Significant Impact

The drainage canals that are located along the western and southern boundaries of the project site for the Proposed Project may be subject to the jurisdiction of the Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act. If the drainage canals fall under the jurisdiction of the Corps, any project activities that result in discharge or placement of fill material into these canals would require a wetland delineation and permit under Section 404 of the Clean Water Act.

The Proposed Project proposes to construct a roadway across the canal located along the western boundary of the project site. Impacts to habitats near the canal associated with construction of a roadway can be mitigated through compliance with the Natomas Basin HCP providing no fill is placed in the canal. However, if placing a culvert or support structure in the canal were required to construct the roadway, a wetland delineation and permit would be required. These standards also apply to any construction activities that could impact the drainage canals located along the southern boundaries of the project site. Impacts to jurisdictional Waters of the United States are considered ***significant impacts***.

b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas project Draft REIR would ensure that impacts to jurisdictional waters of the U.S. are less than significant.

Implement Mitigation Measure 7.8-1 (Draft REIR, page 7.8-16)

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(a) If it is determined that project construction activities will not result in the discharge or placement of fill materials (which include, but are not limited to construction materials such as culverts or support structures) in the canals that are located along the western and southern boundaries of the project site, impacts to habitats near the canal can be mitigated through implementation of Mitigation Measure 7.8-3(a) and (b).

Or

(b) If it is determined that project construction activities will result in the discharge or placement of fill materials (which include, but are not limited to construction materials such as culverts or support structures) in the canals that are located along the western and southern boundaries of the project site, the project applicant shall retain a qualified biologist to prepare a wetland delineation and mitigation plan that provides for: (1) identification of waters of the U.S. that could be impacted by the Proposed Project, (2) avoidance of or no net loss of waters of the U.S. in the project area, and (3) the compensation methodologies for project impacts on waters of the U.S. The delineation and mitigation plan shall be submitted for review and approval by the Corps prior to initiation of construction, and shall include a five-year monitoring program to ensure success.

Or

(c) In lieu of developing a mitigation plan that outlines the avoidance or creation of waters of the U.S., the project applicant shall purchase mitigation credits through a Corps-approved mitigation bank. The purchased credits shall fully offset the acreage and value of waters of the U.S. lost due to project construction.

These measures may be implemented by obtaining applicable permits from the Army Corps of Engineers and CDFG.

Creation and preservation of wetland habitat, or the purchase of mitigation credits through an accredited wetland mitigation bank would reduce this impact to a *less-than-significant* level by replacing the amount, type, and value of wetland habitat lost to project construction.

Any fill or adverse modification to a wetland would require a permit from the Corps prior to any construction activities. Typically, permits issued by the Corps condition a project with mitigation to offset unavoidable impacts on wetlands and other waters of the U.S. in a manner that achieves the goal of no net loss of wetland acres or values. Therefore, the above mitigation may be implemented through the permitting process.

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9) Impact 7.8-3: Loss of Swainson's Hawk habitat

a. Significant Impact

The Swainson's hawk nests primarily within riparian corridors in the Central Valley. However, the Swainson's hawk will also nest in isolated trees, trees along field borders or roads, small groves, or on the edges of remnant oak woodlands if they are located within flying distance (about 5 miles) of suitable foraging habitat. The trees that are located immediately adjacent to the western boundary of the project site provide suitable nesting habitat for the Swainson's hawk. The project site mainly consists of a fallow field, and as such provides suitable foraging habitat for the Swainson's hawk, because this species typically forages for insects and small rodents in grasslands, fallow fields, livestock pastures, and low-growing croplands. There are approximately 25 Swainson's hawk nest sites within five miles of the project site.

Swainson's hawk is listed as a threatened species by the CDFG, and is protected under the provisions of the California Endangered Species Act (CESA) and the California Fish and Game Code (sections 3503 and 3511). Should the Proposed Project impact this species, the project applicant would have to demonstrate compliance with CESA. However, CESA only regulates "take" of individuals and does not address habitat loss that is not directly linked to the loss of individuals of State-listed species. Therefore, the loss of potential Swainson's hawk foraging habitat is addressed only as a CEQA issue, while the potential loss or disturbance of Swainson's hawk nest sites is a CEQA and CESA issue.

The Proposed Project would convert land that supports suitable foraging and nesting habitat for Swainson's hawk into urban uses through rough and finished grading; construction of buildings, roads, and placement of related infrastructure. Implementation of the Proposed Project would remove approximately 120 acres of suitable Swainson's hawk foraging habitat, and could remove suitable nesting trees that are immediately adjacent to the western boundary of the project site. Loss of foraging habitat for this species could result in indirect mortality of adults and juveniles due to increased foraging competition, and increased foraging costs. Implementation of the Proposed Project could also result in the disruption of nesting Swainson's hawks, if they are found to be nesting within trees that are along the western boundary of the project site.

Removal of Swainson's hawk foraging habitat and potential disturbance of Swainson's hawk nest sites are considered ***significant impacts***.

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b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to Swainson's hawk habitat are less than significant.

Implement Mitigation Measure 7.8-3 (Draft REIR, page 7.8-18)

(a) The project applicant/developer shall comply with all requirements of the adopted Natomas Basin HCP and any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS and conditions in the ITPs issued by USFWS and CDFG.

Species-specific mitigation measures from the Final Natomas Basin HCP include:

(b) Pre-construction surveys to determine whether any Swainson's Hawk nest sites occur on or within ½ mile of the lands designated for development.

(c) Timing restrictions for construction activity if an occupied Swainson's hawk nest is identified (i.e., defer construction activities until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season.

(d) An on-site biological monitor (CDFG-approved raptor biologist funded by the developer) would be assigned to the project if construction or other project-related activities that could cause nest abandonment or forced fledging are proposed within the ¼ mile buffer zone.

(e) Valley oaks, tree groves, riparian habitat and other large trees will be preserved wherever possible. The City and Sutter County shall preserve and restore stands of riparian trees used by Swainson's hawks and other animals, particularly near Fisherman's Lake and elsewhere in the Plan Area where large oak groves, tree groves and riparian habitat have been identified in the Plan Area.

(f) The raptor nesting season shall be avoided when scheduling construction near nests in accordance with applicable guidelines published by the Wildlife Agencies or through consultation with the Wildlife Agencies.

(g) Annually, prior to the Swainson's hawk nesting season (March 15 to September 15) and until build out of their Authorized Development has occurred, the City of Sacramento and Sutter County will notify each landowner of any property within the permit area(s) on which a Swainson's

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hawk nest tree is present, and will identify the nest tree, and alert the owner to the specific mitigation measures prohibiting the owner from removing the nest tree.

10) Impact 7.8-4: Loss of foraging or nesting habitat for non-listed special status avian species

a. Significant Impact

The project site associated with implementation of the Proposed Project consists of open fallow and ruderal fields, and as such provide suitable foraging and nesting habitat for several non-listed, special-status avian species, including northern harrier, western burrowing owl, loggerhead shrike, tri-colored blackbird, and white-tailed kite. At least one of these species, the western burrowing owl, has been documented as nesting within the banks of the east Drain Canal, approximately 0.25 miles west of the project site.<sup>2</sup> The direct loss or degradation of suitable foraging habitat or the removal of, or disturbance to nesting habitat within or directly adjacent to the project site(s) associated with implementation of the Proposed Project could result in the indirect mortality of these non-listed, special-status avian species or a reduction in local populations that depend on fallow fields and grasslands for foraging.

Although there are no specific agencies or permitting authorities that regulate impacts on non-listed avian species, the above special-status avian species can be considered rare or endangered in accordance with CEQA because, due to their designation as California Special Concern species (species that are vulnerable to extinction because of declining population levels, limited ranges, and/or continuing threats), they meet the criteria of CEQA Guidelines subsection 15380(b) (see page 7.8-10). Therefore, the mortality of, loss of nesting habitat, or loss of foraging habitat for these species would be considered a **significant impact**.

b. Facts in Support of Finding

The following mitigation measures from the Promenade at Natomas Project Draft REIR would ensure that impacts to non-listed special status avian species are less than significant.

1. Implement Mitigation Measure 7.8-4 (Draft REIR, page 7.8-20)

(a) Implement Mitigation Measure 7.8-3 (a).

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2 EIP Associates, unpublished data, January, 2000.

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Implementation of Mitigation Measure 7.8-3 (a) would reduce project impacts to foraging habitat for non-listed special status avian species to a less-than-significant level by ensuring the implementation of conservation strategies for Swainson's hawk that are outlined in the Natomas Basin HCP, as well as additional mitigation measures identified in the Natomas Basin HCP EIR/EIS and conditions in the ITPs. Because foraging habitats that support Swainson's hawk (a species that is covered under the Natomas Basin HCP) can also support northern harrier, western burrowing owl, loggerhead shrike, tri-colored blackbird, and white-tailed kite, conservation strategies outlined in the Natomas Basin HCP for Swainson's hawk will also benefit these latter species. These conservation strategies, mitigation measures, and conditions will ensure that project impacts to foraging habitat for non-listed special status avian species will be fully offset by replacing the amount, type, and value of habitat lost to project construction. In addition, these species may be covered separately with specific mitigation requirements and conservation strategies under the Natomas Basin HCP, in which case impacts would be further mitigated to a *less-than-significant level*.

(b) For the northern harrier, loggerhead shrike, tri-colored blackbird, and white-tailed kite:

The project applicant shall retain a qualified biologist to conduct pre-construction (no earlier than 2 weeks prior to project construction activities) nest surveys within (1) the trees that are along the western and southern boundaries of the project sites, (2) any other trees that may be removed or damaged as a result of project construction or operation, (3) within suitable grassland nesting habitat for northern harrier, and (4) within suitable nesting habitat for tri-colored blackbird (e.g., within the blackberry thickets that are along the western boundary of the Proposed Project site). If active nests for any of these species are found, the nest sites shall be reported to CDFG. Removal of the nesting substrate that contains the nest(s) shall be conducted in accordance with CDFG direction. At a minimum, removal of the nesting substrate shall be delayed until after a qualified biologist has determined that the chicks in the nest(s) have fledged. In addition, prior to fledging, a buffer zone (equipment exclusion zone) of at least 100 feet should be established around the nest(s) to avoid disturbance to active nest(s) during project construction. If no active nests are found, no mitigation would be required.

OR

In lieu of conducting pre-construction surveys, the project applicant shall ensure construction activities do not occur during the nesting season of these species (typically March 1 through July 31). If construction occurs during the non-nesting season, the species would not be impacted.

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Implementation of Mitigation Measures 7.8-4 (a) and (b) would reduce project impacts to nesting habitat for northern harrier, loggerhead shrike, tri-colored blackbird, and white-tailed kite to a *less-than-significant level* by ensuring the protection of active nests and unfledged young.

(c) For the western burrowing owl:

Mitigation shall include, but not be limited to, the following items as identified in the Natomas Basin HCP:

1. Prior to project construction, the project applicant shall retain a qualified biologist to conduct pre-construction surveys of suitable habitat within the project sites within 30 days prior to project construction to document the presence and distribution of burrowing. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be re-surveyed.

2. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verifies through noninvasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

3. If nest sites are found, the USFWS and the CDFG shall be contacted regarding suitable mitigation measures, which may include a 300-foot buffer from the nest site during the breeding season (February 1 – August 31), or a relocation effort for the burrowing owls if the birds have not begun egg-laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival.

4. If relocation of the owls is approved for the site by the USFWS and CDFG, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site.

Where onsite avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitation on Conservancy upland reserves.

11) Impact 7.8-5: Loss of suitable habitat for giant garter snake

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a. Significant Impact

The giant garter (GGS) snake is listed as a threatened species by CDFG and the USFWS and is protected under the provisions of the California and Federal Endangered Species Acts. This species is a highly aquatic snake, relying upon aquatic environments both for food and for shelter and escape from predators. Although no GGS were seen during the January 3, 2001 site visit of the Proposed Project site, the drainage canals and adjacent upland vegetation along the western and southern boundaries of the project site provide marginally suitable habitat for GGS. The patches of vegetation along the margins of the canals provide adequate hibernation habitat and the banks of the canals provide suitable locations for basking. The USFWS typically considers all upland areas within 200 feet of aquatic giant garter snake habitat to be upland habitat for GGS. Implementation of the Proposed Project could result in the removal of suitable GGS aestivation habitat, which, in turn, could result in the incidental direct take of GGS (mechanical injury) and indirect take through habitat loss. Danger posed by construction activities is greatest during the winter dormant period (November through March) when these snakes are inactive below the ground and are unable to flee machinery. Loss of suitable habitat for the GGS and potential take of this species is considered to be a **significant impact**.

b. Facts in Support of Finding

The following mitigation measures from the Promenade at Natomas Project Draft REIR would ensure that impacts to giant garter snakes are less than significant.

1. Implement Mitigation Measure 7.8-5 (Draft REIR, page 7.8-22)

(a) Implement Mitigation Measures 7.8-3 (a).

Compliance with Mitigation Measure 7.8-3 (a) would reduce project impacts to GGS to a less-than-significant level by ensuring the implementation of conservation strategies outlined for GGS (a covered species) in the Natomas Basin HCP, as well as additional mitigation measures identified in the Natomas Basin HCP EIR/EIS and conditions in the ITPs. These conservation strategies, mitigation measures, and conditions will ensure that project impacts to GGS or their habitat will be fully offset by replacing the amount (through applicable mitigation ratios), type, and value of GGS habitat lost to project construction, as well as avoiding impacts to individual GGS, aestivation sites, or basking habitat that may be within or adjacent to the project site.

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(b) Timing restrictions: No grading, excavating or filling activities will take place within 30 feet of existing giant garter snake habitat between October 1 and May 1, unless approved by CDFG. By conducting earth-moving activities during the summer months when snakes are active, it is expected that snakes in the construction area will be able to avoid construction equipment such that direct injury or mortality would be avoided. Further, snakes will not be in their winter retreats where they are vulnerable to injury during earth-moving activities.

(c) Dewatering requirements: Dewatering of existing habitat will begin after November 1, but no later than April 1 of the following year. All water must be removed from existing habitat by April 15, or as soon thereafter as weather permits, and the habitat will be kept dry without any standing water for 15 consecutive days after April 15 and prior to excavating or filling the dewatered habitat. By dewatering habitat between November 1 and April 1, snakes would not be attracted to construction zones when they emerge from their winter retreats. If habitat must be dewatered after April 15, it must remain dry for 15 consecutive days prior to excavating or filling the habitat. Snakes have been found to leave habitat within a few days of dewatering (USFWS, 1999b). By waiting 15 days after dewatering, it is reasonable to expect that any snakes would have left the construction zone prior to start of construction activities and injury to snakes would be avoided.

12) Impact 7.8-6 Loss of biological resources (cumulative) (RDEIR page 7.8-23)

a. Significant Impact

Over the past 150 years, urban development has encroached upon and removed biological resources throughout the Central Valley, including wetlands, riparian vegetation, annual grasslands, and other habitats that support special-status species. The project site supports small pockets of habitat, including suitable habitat for GGS, Swainson's hawk, and non-listed special status avian species. The project site also supports potential jurisdictional waters of the United States and is adjacent to potential City of Sacramento heritage trees. Habitat values associated with the majority of habitats affected by this project are relatively low due to the proximity of urban uses, isolation and fragmentation, urban runoff, and invasion of non-native species. However, despite the relatively low values, many of these habitats are still used by special status species, and project impacts to these habitats and the species they support can be significant. As discussed in project impacts 7.8-1 through 7.8-5, construction of the Proposed Project would result in the loss and/or degradation of up to 126-acres of suitable foraging habitat for Swainson's hawk and non-listed special status avian species, suitable habitat for GGS, potential City of

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Sacramento heritage trees, and potential waters of the U.S. Impacts to these species and habitats can be fully mitigated at the project specific level to a level of less-than-significant. However, the Proposed Project's incremental contribution to cumulative impacts to these habitats and the species they support in the Sacramento region and throughout the Central Valley is considered a ***significant cumulative impact***.

b. Facts in Support of Finding

Based on implementation of Mitigation Measures 7.8-1 through 7.8-5 that ensure compliance with the adopted Natomas Basin HCP and are consistent with the Natomas Basin HCP EIR/EIS Findings and Statement of Overriding Considerations, the project's incremental contribution to cumulative impacts to habitats and special-status species would be less than significant. The proposed project's contribution to significant ongoing regional and statewide habitat losses is considered less than significant.

Implement Mitigation Measures 7.8-1(a) through (c); 7.8-2; 7.8-3 (a) through (g); 7.8-4 (a) through (c); and 7.8-5(a) through (c).

13) Impact 7.9-2: Archeological resources

a. Significant Impact

No archaeological or prehistoric resources are known to exist in the project area. The only suggestion that there could be such resources, as yet unidentified, is the presence of isolated artifacts in the vicinity, as documented by Chavez. The Information Center, in reply to the records search request, stated the following:

Chavez noted two artifacts, however, one within the project (#9: Bowl Mortar) and another just outside (#6: Bowl Mortar rim fragment). This suggests the possibility that there was an early site somewhere in the local vicinity.

This potential impact is the only one known for the Proposed Project area. A surface inspection can rarely be entirely certain that no buried archaeological or prehistoric resource is present within a project area. In the case of the Proposed Project, annual flooding prior to implementation of RD 1000 and agricultural practices since that time could have obscured surface evidence of an archeological site while leaving an intact or partially intact subsurface deposit. Therefore, this is considered a ***potentially significant impact***.

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b. Facts in Support of Finding

The following mitigation measure from the Promenade at Natomas Project Draft REIR would ensure that impacts to archeological resources are less than significant.

Implement Mitigation Measure 7.9-2 (Draft REIR, page 7.9-9)

Should artifacts, exotic rock, bone, or a concentrated deposit of shell be uncovered during any future construction activities, an archeologist shall be consulted for an on-the-spot evaluation. If bone is uncovered that appears to be human, the County Coroner shall be contacted. If the coroner determines that the bone is likely to be Native American in origin, then the Native American Heritage Commission shall be contacted to identify most likely descendants.

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

Finding – The City finds that, where feasible, the changes or alterations that have been required, or incorporated into, the Project which reduce the significant environmental impacts listed in the REIR. However, specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level. This finding is supported by evidence in the record of the proceeding before the city including the Draft REIR and Final REIR prepared for this project. 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 of fact stated in Section III that reject the No Project Alternative and project alternatives as infeasible or for failure to achieve the basic objectives of the project or because those alternatives offer no substantial environmental advantages over the Proposed Project.

**1. Impact 7.2-1 Intersections**

a. Significant and Unavoidable Impact

Truxel Road/San Juan Road

This mitigation measure would improve the level of service from LOS D or worse to LOS C during peak conditions. However, because it is not feasible to add lanes at this location, due to the available right-of-way, phasing alone may not fully mitigate the impact, the impact would be considered **significant and unavoidable**.

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b. Facts in Support of Finding

A right turn lane shall be added to the westbound San Juan Road approach to provide two left turn lanes, two through lanes and two right turn lanes and provide overlap traffic signal phasing to allow westbound San Juan Road right turning traffic to proceed on a green arrow simultaneously with the southbound Truxel Road left turning movement, and prohibit U-turns for the southbound left turning movement.

An overlap traffic signal phasing shall be provided to allow northbound Truxel Road right turning traffic to proceed on a green arrow simultaneously with the westbound San Juan Road left turning movement, and prohibit U-turns for the westbound left turning movement. The project applicant would be required to work with the Traffic Engineering Services to determine optimum phasing at this location.

However, because it is not feasible to add lanes at this location, due to the lack of available right-of-way and re-phasing alone may not fully mitigate the impact, the impact would be considered **significant and unavoidable**.

2. **Impact 7.2-2 Freeways**

a. Significant and Unavoidable Impact

The following discussion of freeway operations addresses only the impacts identified as significant according to the significance criteria identified earlier in this section. Other portions of the freeway would fail to satisfy Caltrans standards with or without the project and would not be identified as significant impacts.

Development of the Proposed Project would increase traffic volumes on the freeway system. I-80 mainline operating conditions associated with the baseline plus project scenario are included in Tables 7.2-12 and 7.2-13 (see page 7.2-31 of the RDEIR).

Westbound I-80 would operate at LOS F west of Northgate Boulevard during the a.m. peak hour with or without the Proposed Project and for all the project alternatives. Likewise, the I-80 westbound Northgate Boulevard off-ramps would operate at LOS F during the a.m. peak hour. None of these freeway operational problems would be significant impacts of the project because the condition would exist without the project.

In addition, during the p.m. peak hour, both the northbound and southbound Northgate Boulevard ramps onto eastbound I-80 would operate at LOS F, but the downstream freeway would also operate at LOS F, so there would be no significant impacts at the ramps. A significant

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impact at a freeway ramp would occur if project traffic would cause the ramp's merge/diverge level of service to be worse than the freeway's level of service.

Freeway off-ramp queues would be contained without extending into the ramp's deceleration area or onto the freeway for the Proposed Project and all alternatives. Expected queues are shown in the traffic study supplemental document that contains the level of service calculations.

The following discussion addresses significant impacts of the Proposed Project.

The Proposed Project development scenario would cause significant impacts at freeway locations. The project would cause the southbound Truxel Road merge onto westbound I-80 to operate at LOS E during the p.m. peak hour when the freeway would operate at LOS C. This is considered a **significant impact**.

Identification of a fair-share payment amount requires an accurate cost assessment of required improvements, and their associated costs. Caltrans may not have this information. In addition, since the City cannot control the actions of a State agency and the City cannot make occupancy of the project contingent on Caltrans' approval. Therefore, the City can only condition the project to work with Caltrans to determine the fair-share payment.

b. Facts in Support of Finding

Therefore, no feasible mitigation measures are available to reduce the impact to a less-than-significant level.

3. **Impact 7.2-8 Intersections (Cumulative)**

a. Significant and Unavoidable Impact

North Market Boulevard/Northgate Boulevard - the intersection would operate at LOS F during the a.m. peak hour without the project, and with the project would increase the average delay by 34 seconds. The intersection would operate at LOS E during the p.m. peak hour without the project, and with the project would increase the average delay by 15 seconds. This is considered a **significant impact**.

Truxel Road/Gateway Park Boulevard – traffic from the project would degrade the level of service at the intersection from LOS C to LOS F during the a.m. peak hour. The intersection would operate at LOS F during the p.m. and Saturday peak hour without the project; the project

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would essentially double the average delay at the intersection during these time periods. This is considered a **significant impact**.

Truxel Road/I-80 West Ramps – traffic from the project would degrade the level of service at the intersection from LOS C to LOS E during the Saturday peak hour. This is considered a **significant impact**.

Northgate Boulevard/I-80 East Ramps - this intersection would operate at LOS F during the p.m. peak hour without the project, and with the project would increase the average delay by 16 seconds.  
This is considered a **significant impact**.

b. Facts in Support of Finding

**North Market Boulevard/Northgate Boulevard (#9)**

This mitigation measure would not improve the level of service in comparison to the level of service without the project. The mitigation measure would reduce delay at the intersection during congested periods below the delay that would occur without the project. However, because it is not feasible to add lanes in this location and the mitigation measures would not fully mitigate the impact, the impact of the project after mitigation would be **significant and unavoidable**.

One lane shall be added to the southbound Northgate Boulevard approach to provide one left turn, two through lanes, and one combination through-right turn lane. However, it may not be feasible to add lanes at this location; and

The right-turn channelizing island shall be removed and two lanes added to the eastbound North Market Boulevard approach to provide a left turn lane, a combination through-right turn lane, and two right turn lanes; and

The two westbound North Market Boulevard approach lanes shall be provided and provide one left turn lane and one combination through-right turn lane; and

A protected left-turn phasing for all intersection approaches shall be provided; and

An overlap traffic signal phasing shall be provided to allow eastbound North Market Boulevard right turning traffic to proceed on a green arrow simultaneously with the northbound Northgate Boulevard left turning movement, and prohibit U-turns for the northbound left turning movement.

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### **Truxel Road/Gateway Park Boulevard (#11)**

Delays at this intersection would be higher after mitigation than with no project and no mitigation. Therefore, this impact would remain **significant and unavoidable** even with Mitigation Measure 7.2-1(e).

Implement Mitigation Measure 7.2-1(e).

### **Truxel Road/I-80 West Ramps (#13)**

No feasible mitigation measures were identified; therefore, this impact would remain **significant and unavoidable**.

No feasible mitigation measures were identified for this intersection. If the Northgate Boulevard bridge structure across I-80 were widened to add one lane to the southbound Northgate Boulevard approach, resulting in one through lane, one combination through-right turn lane, and one right turn lane, the level of service would be improved from LOS F to LOS E during p.m. peak hour conditions – better than the LOS F conditions that would occur without the project. This modification would not be feasible due to the lack of available right-of-way for the identified improvements and the cost of improvements is higher than what can reasonably be expected for a single project; therefore, the impact would be **significant and unavoidable**.

### **Northgate Boulevard/I-80 East Ramps (#16)**

No feasible mitigation measures were identified for this intersection. If the Northgate Boulevard bridge structure across I-80 were widened to add one lane to the southbound Northgate Boulevard approach, resulting in one through lane, one combination through-right turn lane, and one right turn lane, the level of service would be improved from LOS F to LOS E during p.m. peak hour conditions – better than the LOS F conditions that would occur without the project. This modification would not be feasible due to the lack of available right-of-way for the identified improvements and the cost of improvements is higher than what can reasonably be expected for a single project; therefore, the impact would be **significant and unavoidable**.

#### **4. Impact 7.2-9 Freeways (Cumulative)**

##### **a. Significant and Unavoidable Impact**

The Proposed Project development scenario would increase traffic volumes on the freeway system. I-80 mainline operating conditions

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associated with the cumulative scenario are summarized in Tables 7.2-18 and 7.2-19, and cause the following **significant impacts** on I-80:

- Traffic would cause the freeway level of service to deteriorate from LOS E to LOS F on the I-80 mainline east of Northgate Boulevard during the Saturday peak hour.
- Traffic would cause the westbound I-80 diverge at the Northgate Boulevard interchange to operate at LOS F during the p.m. peak hour when the freeway would operate at LOS E (without the project, the diverge would operate at LOS D and the freeway would operate at LOS E).

For eastbound I-80 east of Northgate Boulevard, it might be possible to mitigate impacts associated with the Proposed Project for this section of I-80; however, there are several constraints that make mitigation infeasible. A discussion of the potential mitigation and constraints that make mitigation infeasible are provided under the discussion of baseline conditions. In summary, adding lanes to I-80 would require widening the bridge across the Natomas East Main Drainage Canal and the Union Pacific Railroad tracks. Widening the freeway east of the bridge may require additional right-of-way or expensive construction methods to avoid right-of-way acquisition. The potential mitigation measure is considered infeasible; therefore, this impact would remain *significant and unavoidable*. For westbound I-80 at the Northgate Boulevard Off-Ramp, it might be possible to mitigate impacts associated with the project for the off-ramp; however, similar constraints to those listed above make mitigation infeasible. The potential mitigation would require providing a two lane exit ramp by adding an auxiliary lane 1300 feet in advance of the interchange ramp as required by Caltrans design standards. This mitigation measure would improve p.m. peak hour ramp operations to LOS D or better, but would also require widening the bridge across the Natomas East Main Drainage Canal and the Union Pacific Railroad tracks. Widening the freeway east of the bridge may require additional right-of-way or expensive construction methods to avoid right-of-way acquisition. The potential mitigation measure is considered infeasible; therefore, this impact would remain **significant and unavoidable**.

b. Facts in Support of Finding

Compliance with this mitigation measure would improve p.m. peak hour ramp operations to LOS D or better, but would also require widening the bridge across the Natomas East Main Drainage Canal and the Union Pacific Railroad tracks. Widening the freeway east of the bridge may require additional right-of-way or expensive construction methods to avoid right-of-way acquisition. The potential mitigation measure is considered

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infeasible; therefore, this impact would remain **significant and unavoidable**.

**5. Impact 7.3-2 Construction-related ozone precursor emissions**

a. Significant and Unavoidable Impact

CO, ROG, and NO<sub>x</sub> are emitted from the operation of diesel construction equipment, while ROG is generated from asphalt off-gassing (application of asphalt, not asphalt itself, releases vapors). Using URBEMIS7G, it was estimated that approximately 22 pieces of diesel powered equipment would be used on the site throughout construction of the project. In addition to mobile equipment, stationary diesel equipment, such as generators would also be used.

As shown in Table 7.3-5 (see page 7.3-15 in the RDEIR), under the Proposed Project, 45.48 lbs/day of ROG, 565.58 lbs/day of NO<sub>x</sub> and 12.33 lbs/day of CO would be generated by construction equipment. Under the Proposed Project, NO<sub>x</sub> emissions would exceed the district's adopted thresholds of 85 lbs/day, resulting in a **significant impact**.

b. Facts in Support of Finding

Sacramento County is currently in attainment for CO and the SMAQMD has not adopted any CO thresholds. Consequently, the Proposed Project would not violate SMAQMD thresholds and no mitigation is required. However, construction activities associated with the Proposed Project would result in the generation of NO<sub>x</sub> pollutants that would exceed the SMAQMD threshold of 85 lbs/day, resulting in a significant impact. Implementation of the following mitigation measures would reduce the amount of NO<sub>x</sub> emissions created during construction activities, but not to a level that is below the district thresholds. Therefore, this impact would remain **significant and unavoidable**.

To reduce NO<sub>x</sub> emissions associated with construction activities, 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, shall achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and

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

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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.

The prime contractor shall ensure that emission 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 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 mitigation measure shall supercede other SMAQMD or state rules or regulations.

**6. Impact 7.3-3 Project operational emissions**

a. Significant and Unavoidable Impact

Operational emissions associated with the Proposed Project would be generated primarily by vehicles traveling to and from the site. However, area source emissions, such as those from natural gas associated with heating facilities, would also contribute to operational emissions. Unlike construction emissions, operational emissions are on-going and would affect the air quality more severely than short-term construction emissions.

As indicated in Table 7.3-6, operational emissions associated with the Proposed Project are estimated to be approximately 375 lbs/day of ROG, 393 lbs/day of NO<sub>x</sub>, 3,274 lbs/day of CO, and 3.36 µg/m<sup>3</sup> of PM<sub>10</sub>. Under the Proposed Project, ROG and NO<sub>x</sub> emissions would exceed SMAQMD's thresholds of 65 lbs/day, resulting in a **significant impact**.

b. Facts in Support of Finding

The majority of long-term operational pollutants would be generated by vehicles traveling to and from the project site. The mitigation measures presented below are in keeping with the policies presented in the NNCP that promote alternative forms of transportation and making the project area more pedestrian and bike friendly. As stated in the implementation

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goals, the Natomas area shall strive for a 35 percent reduction in all pollutants and all nonresidential development is required to reduce ROGs by 50 percent when compared to the baseline conditions. It should be noted that the project site is located along a proposed light rail transit line and minor bus line which, when constructed and operating, will further encourage patrons and employees to use an alternative form of transportation.<sup>3</sup> The light rail line is proposed to travel along Truxel Road while the bus line would travel along Gateway Boulevard. Many of the following mitigation measures would encourage people to use alternative forms of transportation, however, the effectiveness of these mitigation measures in reducing potential air emissions cannot be guaranteed. Although implementation of the following mitigation measures would reduce the magnitude of this impact, operational emissions would still exceed district thresholds, resulting in a **significant and unavoidable impact**.

Prior to project construction, the project applicant and city shall consult with the SMAQMD to ensure all applicable and feasible mitigation measures are being implemented, which shall include the following:

- a) Bicycle lockers and/or bike racks shall be provided at all office buildings and retail centers.
- b) Provide an additional 20 percent of required Class I and Class II bicycle parking facilities.
- c) A display case or kiosk displaying transportation information in a prominent area accessible to employees and patrons.
- d) Parking lot shade shall be increased by 20 percent over city code requirements.
- e) Preferential parking for carpool/vanpools shall be provided to encourage shared ridership.
- f) The parking lot design shall include clearly marked and shaded pedestrian pathways between transit facilities and building entrances.
- g) The project applicant shall require building and/or property owners contracts with landscapers who operate equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use.

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<sup>3</sup> City of Sacramento. North Natomas Community Plan. Adopted by City Council Resolution No. 94-259. May 3, 1996. Amended April 16, 1996. Pp 43.

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h) For all office development, promote telecommuting and implement an employee telecommuting program.

i) Implement Clean Air Business Practices such as using low-emission delivery vehicles, contracting with alternative fuel waste hauling companies, etc.

**7. Impact 7.3-5 Critical air pollutants (cumulative)**

a. Significant and Unavoidable Impact

As discussed in the project description, the Proposed Project would require a General Plan Amendment, Community Plan Amendment and zoning changes to the existing site. Most notably, 101 acres of the site are currently designated for warehouses or similar uses, which produce considerably fewer air emissions because of the lower trip generation rate per 1,000 square feet. To accommodate the Proposed Project, the project site would be redesignated as commercial, office, or retail, all of which would result in more vehicle trips and higher emissions.

Furthermore, as noted previously in this section, the project area is located within Sacramento County that is currently designated as non-attainment for both State and federal ozone standards. The primary cause of ozone formation in the region is due to mobile vehicles that generate the pollutants ROG and NO<sub>x</sub>, both of which are ozone precursors.

Assuming development within the Sacramento Valley Air Basin through the year 2025, development of the site would result in higher emissions than it would if it were built-out in accordance with existing General Plan, Community Plan and zoning designations, and because the region is designated as severe non-attainment for ozone, the Proposed Project would contribute considerably to a **significant cumulative impact** to air quality.

b. Facts in Support of Finding

The Proposed Project would significantly impact cumulative air quality in the region. The following mitigation measures would reduce the magnitude of the impact; however, cumulative impacts to air quality would still exist and this impact would remain **significant and unavoidable**.

Implement Mitigation Measures 7.3-1 through 7.3-3.

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**8. Impact 7.3-7 Toxic air contaminant concentrations**

a. Significant and Unavoidable Impact

As previously noted, the adopted health risk threshold for exposure to TAC is 10 in 1 million. This means that if a source results in more than 10 excess cancer cases per 1 million people, a significant impact may occur. The local air districts are responsible for regulating and monitoring TACs from stationary sources. Permits, and in some cases the implementation of Best Available Control Technology (BACT) or Maximum Available Control Technology (MACT), are required to ensure that stationary sources do not in and of themselves pose a significant risk to sensitive receptors. However, it is possible for stationary sources that individually do not exceed the adopted risk threshold of 10 in 1 million to cumulatively exceed the adopted risk threshold of 10 in 1 million when numerous facilities are operated simultaneously. At the present time, there are no known stationary sources within the vicinity of the project site that emit TACs. Implementation of the Proposed Project is not anticipated to result in the construction of stationary sources that emit TACs. In the event any facilities are constructed, they would be required to comply with the rules and regulations of local air districts to ensure that the health risk of 10 in 1 million is not exceeded.

In 1998 the CARB identified diesel particulate matter as a toxic air contaminant. Diesel particulate differs from other TACs in that it is generated primarily by mobile sources. The risk to sensitive receptors associated with exposure to this TAC depends upon a number of factors, including the wind direction, wind speed, concentration of the diesel particulate matter, the length of exposure, the existing concentration of diesel particulate matter in the air, and the distance from the source. The CARB currently estimates that the existing overall risk level associated with diesel particulate matter in California is estimated to be 540 excess cancer cases per 1 million people. Consequently, the existing risk level is higher than the adopted threshold of 10 in 1 million.

With implementation of the Proposed Project, diesel powered trucks would be used to deliver and distribute material goods associated with development of the site. Diesel trucks would also be used to transport goods to retail and commercial uses on the site. In addition to delivery trucks associated with the project, the project site is located adjacent to an existing freeway.

Although there are no residential homes within the project site, people would work within the project site for an average of 8 hours per day and 5 days per week. In some cases the work schedule may be slightly less or more. During the time the employee is working within the project site, they

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would be exposed to TACs associated with the delivery trucks and existing freeway traffic.

The CARB has produced a series of risk characterization scenarios as an Appendix to the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. The Scenario that most closely resembles the Proposed Project is known as the "Low Volume Freeway". In this Scenario, the freeway has three lanes in each direction and receptors were placed as close as 20 meters from the edge of the freeway. It was assumed that there was a flow of 2,000 trucks per day. Based on this Scenario, the health risk was estimated to be 200 excess cancer cases per million people based on 70 years of exposure.<sup>4</sup> This estimated risk exceeds the threshold of 10 excess cancer cases per million people.

While this low volume freeway Scenario can be applied to the Proposed Project, it is important to note that there are differences between this Scenario and the project site. Most notably, although the Interstate-80 freeway is located immediately adjacent to the project site, most likely setback requirements and the design of the project would result in a distance that is greater than 20 meters between sensitive receptors (employees) and the existing freeway.

Traffic volumes along west bound I-80 that were recorded at the Northgate/I-80 intersection were estimated to be 126,000 vehicles per day. The number of vehicles estimated for the east bound lanes at the same intersection were estimated to be 104,000 vehicles per day.<sup>5</sup>

The CARB has not produced a risk scenario analyzing the potential impacts associated with the exposure of diesel particulate matter for trucks making deliveries that would be comparable to operation of the Proposed Project. However, the CARB has produced a risk scenario for idling school buses, which would most closely resemble the risk associated with diesel trucks delivering products to the project site. In this Scenario, the diesel particulate matter emissions from the loading and unloading of school children was quantified and the associated health risk was estimated. It was assumed that the buses were idling between 2 and 15 minutes while the children were loading and unloading. The risk associated with this Scenario was estimated to be 90 excess cancer cases per million people based on 70 years of exposure. This estimated

4 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. Stationary Source Division, Mobile Source Control Division. October 2000, Appendix VII.  
5 California Department of Transportation. [www.dot.ca.gov/hg/traffops/saferestr/terafdata/1999](http://www.dot.ca.gov/hg/traffops/saferestr/terafdata/1999). website accessed December 11, 2002.

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risk Scenario also exceeds the threshold of 10 excess cancer cases per million people.

Furthermore, it should be noted that the project site is located adjacent to an existing light industrial area. This area currently delivers and distributes goods via diesel trucks on a daily basis. The same is also true of the existing Natomas Market Place, which also receives deliveries from diesel powered trucks on a daily basis.

Diesel particulate matter is a unique TAC in that it is generated by mobile sources, which are currently unregulated by local air districts. However, mobile source emissions, including diesel particulate matter are regulated by the CARB, a State entity. The CARB has derived a number of strategies for reducing diesel particulate matter. These strategies include retro-fitting existing engines by installing a diesel particulate filter, using alternative fuels, and stricter emission control standards for all new engines.

Although the risk scenarios presented here for comparison represent a worst-case scenario, since they assume an individual will receive continuous maximum exposure to the TAC for 70 years (the estimated lifetime of an individual), and although the Proposed Project's individual contribution to diesel particulate matter within the area would be minimal, development of the Proposed Project in combination with other development in the region could still expose employees to a substantial risk that is greater than the adopted 10 in 1 million threshold. Therefore, this would be a **significant cumulative impact**.

b. Facts in Support of Finding

Under the Proposed Project, the trucks used for delivering materials to the project site are not owned or operated by the project applicant, and therefore retro-fitting existing engines with diesel particulate filters, requiring the use of alternative fuels, and/or purchasing new trucks that meet the new, stricter diesel particulate matter emission standards are not feasible mitigation measures. Any mitigation to reduce the magnitude of this impact must be implemented by the CARB and would occur over time as stricter emissions requirements are adopted and implemented.

Because there are no feasible mitigation measures available to reduce the magnitude of this impact, it would remain **significant and unavoidable** for the Proposed Project.

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9. **Impact 7.4-2 Traffic Noise (Project-specific)**

a. Significant and Unavoidable Impact

The Proposed Project would generate increased traffic on the existing roadway network. Pursuant to the City of Sacramento Noise Element, a substantial increase in traffic noise levels is defined as a 4 dB increase.

Under the Proposed Project, traffic noise level increases are predicted to be 4 dB or more on 7 roadway segments on weekdays and 13 roadway segments on weekends, as shown in Table 7.4-6. Noise-sensitive land uses include new multi-family residential uses in the vicinity of Truxel and Arena. The Proposed Project includes a 5 dB increase on the east segment of the Truxel/Arena intersection on weekdays and a 12 dB and 9 dB increase on the east and west segments, respectively on weekends. Therefore, this is considered a **significant impact**.

b. Facts in Support of Finding

Increased traffic generated by the development of the Proposed Project will cause traffic noise levels to increase on the local roadway network. The extent by which existing land uses are affected by these increases will depend on their proximity to the roadways in question as well as their individual sensitivity to noise.

The reason no noise mitigation measures are available for this impact is that such mitigation would require modification to either the source of traffic noise, the transmission path between the road and the receivers, or the receiver. Modification to the noise source would require the quieting of individual vehicles, which is preempted from local control by the State Motor Vehicle Code. While noise-reducing pavement materials have been shown to reduce traffic noise levels in some areas, this measure would require re-paving of the impacted roadway segments and still would not provide sufficient noise reduction to reduce this impact to a level of insignificance.

Treatment of the path of sound between the roadway and receiver would require the construction of noise barriers at impacted receptors within the plan area. New single-family residential uses located near the project site include sound walls; however, new multi-family apartments do not. Irrespective of the cost associated with such mitigation, barriers could not be constructed at all locations or would not be effective at all locations due to engineering and safety constraints, as well as topographic and vehicular access constraints. In addition, the relative change in noise levels with or without sound walls would be similar. For example, if the project would increase traffic noise levels by 6 dB along a roadway

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segment with residences that have sound walls, those residences would have lower overall noise levels in their backyards, but the project-related traffic noise increase, relative to those lower baseline levels, would still be 6 dB, which is significant.

Finally, treatment of the receptor would essentially consist of retrofitting the buildings of noise-sensitive receptors to provide additional attenuation of traffic noise by the amount which development of the project or alternatives would cause traffic noise to increase. The costs and other constraints associated with such retrofitting would render this option infeasible. Therefore, this impact is considered a **significant and unavoidable** impact for the Proposed Project.

**10. 7.4-4 Traffic Noise. (Cumulative)**

a. Significant and Unavoidable Impact

The Proposed Project would generate increased traffic on the existing roadway network. Under the Proposed Project, traffic noise level increases are predicted to be 4 dB or more on seven roadway segments on weekdays and nine roadway segments on weekends, as indicated by Table 7.4-6. There would be a 5 dB increase on the east segment of the Truxel/Arena intersection during weekdays and weekends. Because there are noise-sensitive land uses in the vicinity of Truxel and Arena, this is considered a **significant impact**.

b. Facts in Support of Finding

Increased traffic generated by the development of the Proposed Project will cause traffic noise levels to increase on the local roadway network. The extent by which existing land uses are affected by these increases will depend on their proximity to the roadways in question as well as their individual sensitivity to noise.

Please see the discussion under Impact 7.4-2 regarding why no noise mitigation measures are available for this impact. This impact is considered a **significant and unavoidable** impact for the Proposed Project.

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#### IV. REJECTION OF ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative, plus a range of alternatives to the project or its location. Alternatives provide a basis of comparison to the project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project. For the reasons documented in the REIR and summarized below, the City finds that approval and implementation of the project as proposed is appropriate, and rejects each one and any combination of project alternatives. The evidence supporting these findings is presented in Chapter 4 of the REIR.

##### 1. Alternative A: No Project Alternative

The No Project Alternative (Alternative A) is required by CEQA. The No Project Alternative would maintain existing conditions. The No Project Alternative would not construct the proposed improvements. The project site would remain as it is currently, with no further site modifications.

##### **Finding**

Specific economic, social, or other considerations make infeasible the No Project Alternative identified in the REIR and described below.

##### Facts in Support of Findings

1. Alternative A would not meet any of the goals and objectives of the project or meet the goals of the NNCP.
2. The No Project Alternative identified in the REIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:
  - a) Alternative A would not meet any of the goals and objectives of the Proposed Project because Alternative A would not increase economic activity; or provide employment opportunities and services to the community.

##### 2. Alternative B: Community Plan Buildout Alternative

The Community Plan Buildout Alternative (Alternative B) would develop the site consistent with the existing NNCP land use designations.

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## **Finding**

Specific economic, social, or other considerations make infeasible the Community Plan Buildout Alternative identified in the REIR and described below.

### Facts in Support of Findings

1. The Community Plan Buildout Alternative identified in the REIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:
  - a) The Community Plan Buildout Alternative would not meet the project objectives. Specifically, this alternative would not develop retail uses that would increase economic activity in the area and complement the adjacent Natomas Marketplace.
  - b) 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 C: Retail/Mixed Use Alternative**

This alternative proposes retail, office, and warehouse/light manufacturing uses, but the total square footage for this alternative would be slightly more than the Proposed Project. Areas 1 and 2 would be zoned as SC-PUD in order to be utilized as retail space. Area 3 would be zoned M-1 and EC, which could be used as light manufacturing, office and retail.

## **Finding**

Specific economic, social, or other considerations make infeasible the Retail/Mixed Use Alternative identified in the REIR and described below.

### Facts in Support of Findings

1. The Retail/Mixed Use Alternative identified in the REIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:
  - a) The Retail/Mixed Use Alternative would result in impacts very similar to the Proposed Project. Because the Retail/Mixed Use Alternative would disturb a similar area as the Proposed Project and would result in similar uses,

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except slightly more intense, the impacts would be very similar to the Proposed Project.

- b) The Mixed Use Alternative would not meet the goals and objectives of the NNCP, because it does not provide employment center uses to encourage light rail ridership.
- c) The Mixed Use Alternative would essentially meet the project objectives established for the project.

#### **4. Alternative D: Offsite Alternative**

This alternative includes a 92-acre site located in West Sacramento east of Interstate 80 (I-80). The site is bounded by I-80 to the west, Harbor Boulevard to the east, and Reed Avenue to the north. Uses on the site include approximately 750,000 sf of retail uses, 762,500 sf of office uses, and a parking garage.

#### **Finding**

Specific economic, social, or other considerations make infeasible the Offsite Alternative identified in the REIR and described below.

#### **Facts in Support of Findings**

- 1. The Offsite Alternative identified in the REIR and described above would not have substantial environmental benefits when compared to the Proposed Project in that:
  - a) The Offsite Alternative would result in greater impacts than the Proposed Project.
  - b) The Offsite Alternative would not meet the goals and objectives of either the project or the NNCP.

### **V. STATEMENT OF OVERRIDING CONSIDERATIONS**

Under CEQA, the City must balance the benefits of the Project against its unavoidable environmental risks in determining whether to approve the Project. If the benefits of a Project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines section 15093(a)). However, CEQA requires the City to support, in writing, specific reasons for considering a Project acceptable when significant impacts are unavoidable. Such reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record (CEQA Guidelines section

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15093(b)). Those reasons are provided below as the "Statement of Overriding Considerations."

The City finds that the economic, social, or other benefits of the Project outweigh the unavoidable environmental impacts and that the Alternatives are rejected based upon the following legal, environmental, social, technological and other considerations.

In accordance with the requirements of CEQA and the CEQA Guidelines, the mitigation measures identified in the REIR and the Mitigation Monitoring Program, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the REIR. Nonetheless, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are: (a) increase in traffic congestion at intersections (project-specific and cumulative); (b) increase traffic congestion along freeways (project-specific and cumulative); (c) increase in air pollutants associated with project construction and operation (project-specific); (d) increase in toxic air contaminants (cumulative); and (e) increase in traffic noise (project-specific and cumulative).

The economic, education, social, and other considerations of the project outweigh the significant unavoidable impacts identified above. These considerations are described below, followed by an indication of the specific benefits of the project.

Increase in traffic congestion impact. Increased traffic associated with the proposed project would increase traffic congestion at local intersections in the project area and along freeways under project-specific and cumulative conditions. Roadway improvements would help to offset the impacts; however, the impact would continue to be significant and unavoidable. As discussed below, this traffic impact has been balanced against the specific benefits of the project.

Increase in air pollutants impact. The increase in construction-related ozone precursors would contribute to an increase in NO<sub>x</sub> emissions. Even with mitigation the total emissions would not be reduced to a less-than-significant level. In addition, the increase in vehicle traffic associated with the project would exceed acceptable levels of ROG and NO<sub>x</sub> emissions. Mitigation is proposed that would help to offset vehicle trips; however, it would not be substantial enough to reduce the impact to a less-than-significant level. The increase in Toxic Air Contaminants associated with diesel emissions and other mobile sources would exceed acceptable standards. Therefore, the impact remains significant and unavoidable. As discussed below this air quality impact has been balanced against the specific benefits of the project.

Increase in traffic noise impact. The increase in noise associated with the project would exceed acceptable levels. No feasible mitigation is available to either reduce or offset the impact; therefore, the impact would remain significant and unavoidable. As discussed below this noise impact has been balanced against the specific benefits of the project.

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**052**

The City 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 City 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 Promenade at Natomas is designed to encourage non-vehicular modes of travel (i.e., light rail). Office uses have been located, consistent with the NNCP, within a close proximity of the proposed new light rail stop identified in the 1994 NNCP map to encourage employees to use light rail.
2. The Promenade at Natomas project is designed to provide an internal circulation system that provides for vehicles, pedestrians and bicyclists to safely access and pass through the site.
3. The development of office uses is consistent with the City's NNCP to develop office uses within 1/4 of a mile of a light rail stop. The project also meets the intent of the General Plan by promoting a regional office market and promoting development that encourages a mixed-use regional commercial and office projects, and developing employee intensive uses that would encourage light rail ridership.
4. The Proposed Project would provide an economic benefit to the City of Sacramento by providing temporary construction jobs, permanent office and service sector and other jobs, sales tax and other revenue and other economic activity associated with this type of a project. The project increases the potential number of jobs at this location by approximately 1,129 and substantially increased sales tax and property tax.
5. The Proposed Project provides needed services and amenities to the Community and the City.
6. The proposed project provides a unique regional retail opportunity adjacent to Interstate 80 without converting Employment Center designated property as recommended in the 2000 Economic Research Associates (ERA) Study which was adopted by the City.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

P00-033

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**053**

## Exhibit 1 – Mitigation Monitoring Plan

### CITY OF SACRAMENTO MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Planning and Building Department, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines section 15097.

#### Project Description

Project Name/File Number: Promenade at Natomas/P00-033

City of Sacramento Contact Person: Grace Hovey  
City of Sacramento  
Development Services Department  
1231 I Street, Room 300  
Sacramento, California 95814  
(916) 808-7601

Applicant: Opus West Corporation

Address: 8880 Cal Center Drive, Suite 360  
Sacramento, CA 95826

#### Project Site

The site for the proposed Promenade at Natomas project (Proposed Project) is located on 126.4 acres within the City of Sacramento's NNCP area. Light industrial uses within the City limits are located to the north of the project site and industrial office uses are located to the north and east of the site within the County. Interstate 80 (I-80) is located to the south; vacant land, Truxel Road, and the Natomas Marketplace shopping center are to the west of the Proposed Project site.

The approximately 9,038-acre NNCP area is located within both the City of Sacramento and Sacramento County limits. The project site is located entirely within the City of Sacramento. The NNCP area is generally bounded by Elkhorn Boulevard to the north, I-80 to the south, Steelhead Creek to the east, and the City of Sacramento to the west.

The Proposed Project site consists of 30.27± acres designated as Employment Center-50 (EC-50), 91.25± acres designated as Light Industrial uses and 4.88± acres of roadways under the NNCP. Under the City's General Plan, the project site designates 30.8 acres for Mixed Use Commercial and 95.6 acres for Heavy

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## Exhibit 1 – Mitigation Monitoring Plan

Commercial/Warehouse. The site is currently zoned as A-PUD (Agriculture - Planned Unit Development). Access to the project site from the north, south and west is provided by I-80, Truxel Road, and Gateway Park Boulevard. Access from the east is provided via North Freeway Boulevard.

### **Project Background**

In 2000, the Opus West Corporation (project applicant) submitted an application to the City of Sacramento for entitlements for development of approximately 126.4 acres of the Proposed Project site as a regional retail center (retail project). In July 2000, the City prepared and circulated a NOP for the proposed retail project to solicit feedback from responsible and trustee agencies and the general public on issues to be addressed in the EIR. In April 2001, the City held a public meeting on the proposed retail project to receive input from the community on concerns with regard to potential environmental impacts (copy of the NOP and responses are included as Appendix A).<sup>6</sup> Comments received included a desire to see a project alternative that addressed development of an automall on the project site. Subsequently, the project applicant submitted a revised application to the City and proposed different land uses and site design. The City released a second NOP on September 4, 2002 (see Appendix C).<sup>7</sup> The proposed land use designations and acreage distribution was modified to create a project that included an automall and was consistent with existing North Natomas Community Plan (NNCP) designations. The revised project analyzed both a proposed automall (Scenario A) and a retail project (Scenario B) and was renamed the Promenade at Natomas/Sacramento Auto Loop.

The Promenade at Natomas/Sacramento Auto Loop DEIR was released for public review in early April 2003. During this time the project applicant submitted a revised development application to the City to eliminate the proposed automall development scenario in lieu of a retail project that is less intense than the retail project (Scenario B) analyzed in the Promenade at Natomas/Sacramento Auto Loop EIR. For the purpose of the analysis contained in this Recirculated Draft EIR (RDEIR), it is assumed that because the project includes a less intense development than that evaluated for Scenario B in the Promenade at Natomas/Sacramento Auto Loop DEIR, impacts associated with the Proposed Project would be less severe. Therefore, unless noted, the RDEIR assumes the same impacts and mitigation measures as those identified for Scenario B in the Promenade at Natomas/Sacramento Auto Loop DEIR.

6 Appendices are included in Volume II of the Promenade at Natomas/Sacramento Auto Loop Project DEIR. Available at the City's Planning Department, 1231 I Street, Sacramento.

7 Appendices are included in Volume II of the Promenade at Natomas/Sacramento Auto Loop Project DEIR. Available at the City's Planning Department, 1231 I Street, Sacramento.

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## **Exhibit 1 – Mitigation Monitoring Plan**

The following is a summary of changes made to Scenario B: Retail Project analyzed in the Promenade at Natomas/Sacramento Auto Loop DEIR.

- The total amount of development has been reduced 257,500 square feet (sf) from 1,512,500 sf to 1,255,000 sf.
- The total number of parking spaces has decreased from 7,034 to 5,596, a reduction of 1,438 spaces.
- The amount of land developed has decreased from 109.4 acres to 104.8 acres.
- The revised project does not attempt to change the existing Employment Center land use designation on the southwest portion of the site adjacent to Gateway Park Boulevard and Truxel Road. The original project located office uses to the northeast portion of the site (requiring a Community Plan Land Use Amendment), while the revised project (Proposed Project) locates office uses within the existing Employment Center designated land, ensuring improved access to the proposed light rail transit route.
- The larger floor-plate retail uses (over 100,000 square feet) have been shifted to the north and east portions of the site, medium sized floor-plate retail uses (below 30,000 square feet) have been placed along Interstate 80 at the southeastern portion of the site, a pedestrian oriented retail village has been placed in the center of the site, and office uses have been placed at the southwestern portion of the site, closer to Truxel Road.

### **Adjacent Land Uses**

The existing surrounding land uses include office development to the east, warehouse and light industrial uses to the north, vacant land to the west across Gateway Boulevard, and the Natomas Marketplace shopping center to the southwest across Truxel Road. The closest residential area is Natomas Crossing located approximately one half mile to the northeast of the project site

### **Project Objectives**

The project applicant for the Proposed Project has identified the following project objectives:

- Increase economic activity and value in the City by developing retail and office uses that are complementary to the adjacent Natomas Marketplace, office and industrial uses.

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## Exhibit 1 – Mitigation Monitoring Plan

- Provide for an appropriate use of unique property located near the I-80 and Interstate-5 (I-5) interchange with frontage along I-80.
- Provide additional employment opportunities within the City by developing office and retail uses.
- Develop detailed design guidelines for the project that meet the City's requirements and establish a functional and effective organization of buildings, circulation and parking; create a pleasant and distinctive environment; create a distinctive but compatible building image; create a safe and distinctive nighttime environment; and provide identity and information for tenants and users of the site through attractive signage while avoiding visual competition.

### **Project Description**

Under the Proposed Project, the project site would be divided into three areas. This has changed slightly from what was included in the previous analysis. Area 1 comprises the western portion of the site and contains approximately 30.8 acres. Of this acreage, approximately 2.68 acres is designated for a drainage easement and the required 100-foot freeway setback. In addition, 2.1 acres is designated for roadways leaving 26.02 acres is designated for Employment Center (EC-50-PUD) zoning. Area 2 is the central portion of the site and contains approximately 12.8 acres designated for Regional Commercial (SC-PUD). Area 3 consists of the northern and southern parcels and contains approximately 82.8 acres. Of the total acreage, 65.6 acres is designated for SC-PUD, 8.22 acres for a drainage easement, and 8.98 acres for roadways. Primary access to the project site would be provided from Gateway Park Boulevard and North Freeway Boulevard. Access to the site would be available from I-80 via Gateway Park Boulevard, with Truxel Road serving as the primary surface street connector between Gateway Park Boulevard and I-80 for exiting traffic. Truxel Road would also serve as a primary connector road to Gateway Park Boulevard from the Natomas area and other parts of Sacramento. Of this acreage, the following is proposed:

- Area 1 provides for the development of 504,000 sf of employment center or office uses and approximately 1,593 parking spaces;
- Area 2 provides for the development of 77,000 sf of regional commercial uses with approximately 522 parking spaces;
- Area 3 provides for the development of 674,000 sf of regional commercial uses with a total of approximately 3,481 parking spaces;
- 10.9-acres of drainage easement/detention basin is included for Areas 1 and 3; and

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## Exhibit 1 – Mitigation Monitoring Plan

- A total of 11.08 acres is required for roadways through the project site.

The Proposed Project consists of three different land use designations. Development under the Proposed Project would require an amendment of the City's General Plan. The 95.6 acres currently designated for Heavy Commercial/Warehouse uses would change to 95.6 acres designated for Regional Commercial and Office uses. The 30.8 acres would remain Mixed Use Commercial as stated in the General Plan, but the boundaries between the two land uses would require realignment. Development under the NNCP would require an amendment to change the 95.6 acres designated for Light Industrial uses to 95.6 acres designated for Regional Commercial. The 30.8 acres would remain Employment Center-50 but would also require realignment. A re-zone of the entire 126.4 project site currently zoned A-PUD would be required. The re-zone would change 30.8 acres currently designated Employment Center-50 (EC-50) to EC-50 Planned Unit Development (EC-50-PUD) and A-OS-PUD (for the drainage easement/setback) and 95.6 acres to Shopping Center Planned Unit Development (SC-PUD) and A-OS-PUD (for the drainage easement/detention basins).

### **Mitigation Monitoring Plan**

#### **Introduction**

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of measures adopted from the Promenade at Natomas Project Recirculated Draft Environmental Impact Report (RDEIR).

#### **Mitigation Measures**

The mitigation measures are taken from the Promenade at Natomas Project RDEIR, and are assigned the same number they had in the RDEIR. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

#### **MMP Components**

The components of each monitoring form are addressed briefly, below.

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## Exhibit 1 – Mitigation Monitoring Plan

**Mitigation Measure:** All mitigation measures that were identified in the Promenade at Natomas Project RDEIR are presented, and numbered accordingly. The mitigation measures from the RDEIR are presented by topic (e.g., Noise).

**Monitoring Program:** For every mitigation measure, one or more action is described. These are the center of the MMP, as they delineate the means by which RDEIR measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

**Timing:** Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

**Parties Responsible for Implementing Measure:** This item identifies the entity that will undertake the required action.

**Entity Responsible for Ensuring Compliance:** The City of Sacramento is responsible for ensuring that most mitigation measures are successfully implemented. Within the City, a number of departments and divisions will have responsibility for monitoring some aspect of the overall project. Occasionally, monitoring parties outside the City are identified. These parties are referred to as "Responsible Agencies" by CEQA.

**Verification of Compliance:** This section provides confirmation that a measure has been implemented, with space for the signature, title, and department of the individual who is verifying compliance. A space is also provided for notes.

Where more than one action is required in the monitoring program, each item is numbered, and the timing and responsible parties are numbered accordingly.

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## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
<b>7.2 TRANSPORTATION AND CIRCULATION</b>					
7.2-1 Intersections.	(a) Northgate Boulevard/Del Paso Road (#3) A traffic signal shall be installed with protected left turn signal phasing for eastbound and westbound approaches and split signal phasing for the northbound and southbound approaches. An overlap traffic signal phasing shall be provided to allow northbound Northgate Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound Del Paso Road left turning movement, and prohibit U-turns for the westbound left turning movement.	Install a traffic signal at Northgate Boulevard/Del Paso Road intersection. With the lane configuration and phasing specified here and in Mitigation Measure 7.2-8(b), if not previously constructed. If constructed, implement lane modifications listed here and in Mitigation Measure 7.2-8(b) and modify the signal phasing, as deemed appropriate by the City Traffic Engineer to optimize signal operations. Any costs incurred to implement the measure shall be paid by the project developer. Improvements shall be coordinated with other improvement projects in the vicinity.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation
	(b) Arena Boulevard (North Market Boulevard)/Gateway Park Boulevard (#5) Overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.	Provide overlap traffic signal phasing that optimizes signal operations, as deemed appropriate by the Department of Transportation. Any costs incurred to implement the measure shall be paid by the project developer. Improvements shall be coordinated with other improvement projects in the vicinity.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation

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Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
	<p><b>(c) North Market Boulevard/North Freeway Boulevard (#8)</b> A traffic signal with protected left turn signal phasing shall be installed for the westbound North Market Boulevard approach. Overlap traffic signal phasing shall be provided to allow northbound North Freeway Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.</p>	<p>Install a traffic signal at North Market/North Freeway Boulevard intersection, if not previously constructed. Phasing shall be as indicated in Mitigation Measure 7.2-8(c), as deemed appropriate by the City Traffic Engineer. Any costs incurred to implement the measure shall be paid by the project developer. Improvements may require approval by the County of Sacramento.</p>	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation
	<p><b>(d) Truxel Road/Gateway Park Boulevard (#11)</b> The four-lane approach to the intersection from the Natomas Marketplace shall be converted to provide a left-turn lane, a combination left-through lane, and two right turn lanes. An overlap traffic signal phasing shall be provided to allow right turning traffic to proceed on a green arrow simultaneously with the northbound Truxel Road left turning movement, and prohibit U-turns for the northbound left turn movement; and  The five-lane approach to the intersection from Gateway Park Boulevard shall be converted to provide three left turn lanes, a through lane, and a right turn lane; and  An overlap traffic signal phasing shall be provided to allow northbound Truxel Road right turning traffic to proceed on a green arrow simultaneously with the southbound Gateway Park Boulevard left turning movement, and prohibit U-turns for the southbound left turn movement; and  Split phasing for the northbound Natomas Marketplace approach and the southbound Gateway Park Boulevard approach shall be provided.</p>	<p>Improvements shall be implemented as deemed appropriate by the City Traffic Engineer. Any costs incurred shall be paid by the project developer. Improvements shall be coordinated with other improvements projects in the vicinity.</p>	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation

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	<p><b>(e) Truxel Road/San Juan Road (#17)</b> A right turn lane shall be added to the westbound San Juan Road approach to provide two left turn lanes, two through lanes and two right turn lanes and provide overlap traffic signal phasing to allow westbound San Juan Road right turning traffic to proceed on a green arrow simultaneously with the southbound Truxel Road left turning movement, and prohibit U-turns for the southbound left turning movement. However, it may not be feasible to add lanes in this location; and</p> <p>An overlap traffic signal phasing shall be provided to allow northbound Truxel Road right turning traffic to proceed on a green arrow simultaneously with the westbound San Juan Road left turning movement, and prohibit U-turns for the westbound left turning movement.</p>	Adding additional lanes is not feasible due to limited right-of-way. Signal phasing shall be implemented as deemed appropriate by the City Traffic Engineer. Any costs incurred shall be paid by the project developer.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	
	<p><b>(f) Gateway Park Boulevard/North Freeway Boulevard (#19)</b> A left turn lane shall be added to the southbound Gateway Park Boulevard approach to provide two left turn lanes and two through lanes; and</p> <p>An overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Freeway Boulevard left turning movement, and prohibit U-turns for the westbound left turn movement.</p>	Project design shall be modified to accommodate the identified improvements and the lane configuration specified here and in Mitigation Measure 7.2-8 as deemed appropriate by the City Traffic Engineer. The required improvements shall be designed and built as part of the public improvements required for this site. Signal phasing shall be implemented as deemed appropriate by the City Traffic Engineer. Any costs incurred shall be paid by the project developer. Improvements shall be coordinated with other improvement projects in the vicinity.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	

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7.2-3 Bikeways	A Class I bike trail or Class II bike lane shall be provided through the Proposed Project site in accordance with the Sacramento Bikeway Master Plan.	Project design shall be modified to include an east-west bikeway connection through the site. All on-site easements and facilities necessary to implement this requirement shall be provided. All easements necessary for the bikeway connection shall be provided. Any costs incurred shall be paid by the project developer.	Project developer	Construction of facilities shall be prior to occupancy of any building. Dedication of easements shall be prior to recordation of Final MOP.	City of Sacramento, Development Services Department and Department of Transportation	
7.2-6 Transit ridership	Funding shall be provided to RT to expand bus transit service sufficient to accommodate the traffic demand at the site. Funding to expand bus transit service may include, but is not limited to, federal, state, and local sources, including fare box receipts.	Provide Funding to expand bus transit.	Project developer	Prior to issuance of building permits.	City of Sacramento, Development Services Department and Regional Transit	
7.2-7 Traffic circulation and safety	(a) Required number of lanes Six through lanes shall be provided on Gateway Park Boulevard from Truxel Road to North Freeway Boulevard or Main Project driveway. Driveways shall be prohibited on Truxel Road and Gateway Park Boulevard from Truxel Road to North Freeway Boulevard.	The required improvements shall be implemented with other public improvements required for the project. Any costs incurred shall be paid by the project developer. Improvements shall be coordinated with other improvement projects in the vicinity.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	
	(b) Centerline radii A design that satisfies Caltrans requirements for horizontal curves described in the Highway Design Manual (Figure 203.2) for the six-lane section of Gateway Park Boulevard shall be provided. A combination of centerline radius modifications (standard is 1,500 feet), superelevation (0.06 maximum is standard per Caltrans Design Manual Table 202.2), and/or speed limit restrictions (55 mph is City standard for six-lane streets	The six lane road design of Gateway Park Boulevard shall be designed and constructed to the satisfaction of the City Traffic Engineer. Super elevation of the road section may be necessary. Any costs incurred shall be paid by the project developer.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation	

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	in North Natomas serving up to 36,000 vehicles daily). A roadway with 1,000-foot centerline radius and 0.08 superelevation would provide a 55 mph design speed. A 0.04 superelevation could be provided if the design speed were reduced to 50 mph and a 1,000-foot radius were used.	Improvements shall be coordinated with other improvement projects in the vicinity.				
7.2-8 Intersections (Cumulative)	(a) <b>Del Paso Road/National Drive (#2)</b> Three through lanes shall be provided in each direction on Del Paso Road in conformance with the North Natomas Community Plan1; and  Two lanes shall be added to the northbound National Drive approach to provide two left turn lanes, two through lanes, and one right turn lane; and  One lane shall be added to the southbound National Drive approach to provide two left turn lanes, one through lane, and one combination through-right turn lane.	This improvement is included in the North Natomas Financing Plan. The project applicant is required to participate in that funding program and pay all related fees.	Project developer	Prior to issuance of any building permits.	City of Sacramento, Development Services Department	
	(b) <b>Del Paso Road/Northgate Boulevard (#3)</b> A traffic signal shall be installed with protected left turn signal phasing for eastbound and westbound approaches and split signal phasing for the northbound and southbound approaches; and  For the eastbound Del Paso Road approach, the following shall be provided: one left turn lane, three through lanes, and one right turn lane with overlap signal phasing to allow eastbound Del Paso Road right turning traffic to proceed on a green arrow simultaneously with the northbound Northgate Boulevard left turning movement, and prohibit U-turns for the northbound left turning movement; and	Implement Mitigation Measure 7.2-1(a)	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	

- 1 The entire section of Del Paso Road will need to be widened to six lanes within the study area (from Gateway Park Boulevard to Northgate Boulevard) to provide acceptable traffic operations for cumulative conditions.

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	For the westbound Del Paso Road approach, the following shall be provided: two left turn lanes, two through lanes, and a combination through-right turn lane; and  For the northbound Northgate Boulevard approach, the following shall be provided: two left turn lanes, a combination left-through lane, and two right turn lanes with overlap traffic signal phasing to allow northbound Northgate Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound Del Paso Road left turning movement, and prohibit U-turns for the westbound left turning movement.					
	<b>(c) Arena Boulevard (North Market Boulevard)/ Gateway Park Boulevard (#5)</b> An overlap traffic signal phasing shall be provided to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.	Implement Mitigation Measure 7.2-1(b)	Project developer	Prior to issuance of occupancy of any building.	City of Sacramento, Development Services Department and Department of Transportation	
	<b>(d) North Market Boulevard/ National Drive (#7)</b> Two lanes shall be added to the northbound National Drive approach to provide one left turn lane, one through lane, and one right turn lane with overlap phasing to allow northbound National Drive right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement; and  Two lanes shall be added to the southbound National Drive approach to provide one left turn lane, one through lane, and one right turn lane with overlap phasing to allow southbound National Drive right turning traffic to proceed on a green arrow simultaneously with the eastbound North Market	The project applicant shall pay their fair-share of any identified improvements. Payment shall be based on the engineer's estimate for construction costs and the amount of site trips in excess of those for land uses assumed in the NNCP. Coordination and approval by Sacramento county may be required. Any costs incurred to implement the measure shall be paid by the project developer.	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	

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	<p>Boulevard left turning movement, and prohibit U-turns for the eastbound left turning movement; and</p> <p>Two lanes shall be added to the eastbound North Market Boulevard approach to provide two left turn lanes, one through lane, and one combination through-right turn lane; and</p> <p>One lane shall be added to the westbound North Market Boulevard approach to provide one left turn lane, one through lane, and one combination through-right turn lane.</p>					
	<p><b>(e) North Market Boulevard/ North Freeway Boulevard (#8)</b></p> <p>A traffic signal shall be installed with protected left turn signal phasing for the westbound North Market Boulevard approach, provide overlap traffic signal phasing to allow northbound North Freeway Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Market Boulevard left turning movement, and prohibit U-turns for the westbound left turning movement.</p>	Implement Mitigation Measure 7.2-1(c)	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	
	<p><b>(f) North Market Boulevard/Northgate Boulevard (#9)</b></p> <p>One lane shall be added to the southbound Northgate Boulevard approach to provide one left turn, two through lanes, and one combination through-right turn lane. However, it may not be feasible to add lanes at this location and</p> <p>The right-turn channelizing island shall be removed and two lanes added to the eastbound North Market Boulevard approach to provide a left turn lane, a combination through-right turn lane, and two right turn lanes; and</p> <p>The two westbound North Market Boulevard approach</p>	<p>The project applicant shall pay their fair-share of any or all of the identified improvements, if deemed necessary by Sacramento County. Payment shall be based on the engineer's estimate for construction costs and the amount of site trips in excess of those for land uses assumed in the NNCP. Coordination and approval by Sacramento County may be required.</p>	Project developer	Prior to issuance of any building permit.	City of Sacramento, Development Services Department	

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	lanes shall be provided and provide one left turn lane and one combination through-right turn lane; and  A protected left-turn phasing for all intersection approaches shall be provided; and  An overlap traffic signal phasing shall be provided to allow eastbound North Market Boulevard right turning traffic to proceed on a green arrow simultaneously with the northbound Northgate Boulevard left turning movement, and prohibit U-turns for the northbound left turning movement.					
	<b>(g) Truxel Road/Gateway Park Boulevard (#11)</b> Delays at this intersection would be higher after mitigation than with no project and no mitigation. Therefore, this impact would remain significant and unavoidable.	Implement Mitigation Measure 7.2-1(e)	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	
	<b>(i) Truxel Road/1-80 East Ramps (#14)</b> The existing lanes for southbound Truxel Road shall be modified to provide two through lanes and two right turn lanes. This modification would require the approval of Caltrans.	The likelihood of this impact occurring is minimal. The City is required to monitor interchange operations and implement modifications of certain thresholds per City Agreement 95-217. If the need for this improvement arises, the City will implement the appropriate improvements.	City of Sacramento	When needed.	City of Sacramento, Development Services Department	
	<b>(k) Truxel Road/San Juan Road (#17)</b> Implement Mitigation Measure 7.2-1(f); and An overlap traffic signal phasing shall be provided to allow eastbound San Juan Road right turning traffic to proceed on a green arrow simultaneously with the northbound Truxel Road left turning movement, and prohibit U-turns for the northbound left turning movement.	Implement Mitigation Measure 7.2-1(e)	Project developer	Prior to occupancy of any building.	City of Sacramento, Development Services Department	
	<b>(l) Gateway Park Boulevard / North Freeway Boulevard (#19)</b>	Implement Mitigation Measure 7.2-1(f)	Project developer	Prior to occupancy of	City of Sacramento,	

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Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
	Two lanes shall be added to the northbound Gateway Park Boulevard approach to provide two left turn lanes, two through lanes, and two right turn lanes with overlap phasing to allow northbound Gateway Park Boulevard right turning traffic to proceed on a green arrow simultaneously with the westbound North Freeway Boulevard left turning movement, and prohibit U-turns for the westbound left turn movement; and  Two lanes to the southbound Gateway Park Boulevard approach shall be added to provide two left turn lanes, two through lanes, and one right turn lane; and  An overlap traffic signal phasing shall be provided to allow right turning traffic from the Natomas Village Center to proceed on a green arrow simultaneously with the northbound Gateway Park Boulevard left turning movement, and prohibit U-turns for the northbound left turn movement.			any building	Development Services Department
7.2-10 Transit ridership (Cumulative)	Funding shall be provided to expand LRT operations to accommodate the additional project demand for transit services. Funding to expand bus transit service may include, but is not limited to, federal, state, and local sources, including fare box receipts.	Implement Mitigation Measure 7.2-6	Project developer	Prior to issuance of building permit.	City of Sacramento, Development Services Department and Regional Transit
<b>7.3. AIR QUALITY</b>					
7.3-2 Construction related ozone precursor emissions.	To reduce NOx emissions associated with construction activities, 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, shall achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and	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.	Project developer/contractor	Prior to issuance of building permit and during construction.	City of Sacramento, Department of Public Works

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	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 on 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.	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 on aggregate of 40 or more hours during the construction project.	Project developer/contractor	Prior to issuance of building permit.	City of Sacramento, Department of Public Works
	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 monthly summaries 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 mitigation measure shall supercede other SMAQMD or state rules or regulations.	A visual survey of all in-operation equipment shall be made at least weekly, and monthly summaries 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.	Project developer/contractor	During construction.	City of Sacramento, Department of Public Works; City of Sacramento, Planning and Building Department
7.3-3 Project operation emissions.	Prior to project construction, the project applicant and city shall consult with the SMAQMD to ensure all applicable and feasible mitigation measures are being implemented, which shall include the following:	Project applicant and city shall consult with the SMAQMD to ensure all applicable and feasible mitigation measures are being implemented.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department;

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Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
					City of Sacramento, Department of Public Works
	a) Bicycle lockers and/or bike racks shall be provided at all office buildings and retail centers.	Bicycle lockers and/or bike racks shall be provided at all office buildings and retail centers.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	b) Provide an additional 20 percent of required Class I and Class II bicycle parking facilities.	Provide an additional 20 percent of required Class I and Class II bicycle parking facilities.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	c) A display case or kiosk displaying transportation information in a prominent area accessible to employees and patrons.	A display case or kiosk displaying transportation information in a prominent area accessible to employees and patrons.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works

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	d) Parking lot shade shall be increased by 20 percent over city code requirements.	Parking lot shade shall be increased by 20 percent over city code requirements.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	e) Preferential parking for carpool/vanpools shall be provided to encourage shared ridership.	Preferential parking for carpool/vanpools shall be provided to encourage shared ridership	Project developer/contractor	Prior occupancy of any building.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works

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	f) The parking lot design shall include clearly marked and shaded pedestrian pathways between transit facilities and building entrances.	The parking lot design shall include clearly marked and shaded pedestrian pathways between transit facilities and building entrances.	Project developer/contractor	Prior to issuance of a building permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	g) The project applicant shall require building and/or property owners contracts with landscapers who operate equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use.	Only landscapers who operate equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use will be used.	Project developer/contractor	Prior occupancy of any building.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	h) For all office development, promote telecommuting and implement an employee telecommuting program.	Telecommuting will be promoted for all office development.	Project developer/contractor	Prior occupancy of any building.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
	i) Implement Clean Air Business Practices such as using low emission delivery vehicles, contracting with alternative fuel waste hauling companies, etc.	Clean Air Business Practices will be implemented.	Project developer/contractor	Prior occupancy of any building.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works

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7.6-1 Creation of health hazards.	<b>7.6 PUBLIC HEALTH/HAZARDS</b>				
	<p>(a) If a Phase I Environmental Site Assessment (ESA) has not been prepared for the entire project site, one shall be prepared in conformance with American Society of Testing and Materials (ASTM) standards prior to any site disturbing activities associated with the Proposed Project. If a Phase I ESA has been prepared for a site, but the physical condition of the site or its adjacent properties has substantially changed (i.e., new development), the original Phase I ESA shall be updated by an environmental professional to ensure that the environmental liability associated with the project site has not changed.</p> <p>If the Phase I ESA concludes there is a potential for adverse site conditions to exist at the project site, soil and/or groundwater samples shall be collected by an environmental professional and analyzed for the appropriate contaminants. If the results of the analytical tests indicate contaminant levels that exceed remedial goals, or are above health and safety levels determined to be acceptable by the State for a specific land use, an environmental professional shall contact the Sacramento County Environmental Management District (SCEMD), or the appropriate regulatory agency, for guidance regarding site remediation. The project applicant shall initiate the recommendations of the regulatory agency to ensure that health and safety hazards do not exist.</p> <p>(b) If during construction activities for the Proposed Project, evidence of hazardous materials contamination is observed or suspected through either obvious or implied measures (i.e., stained or odorous soil, or oil or discolored water), construction activities shall cease in the affected area. An environmental professional shall assess the situation and make appropriate recommendations.</p>	<p>Prepare a Phase I ESA for entire project site if one has not previously been prepared.</p>	Project developer	Prior to construction.	City of Sacramento, Planning and Building Department
		<p>If, during construction activities for the Proposed Project, evidence of hazardous materials contamination is observed or suspected through either obvious or implied measures construction activities shall cease in the affected area. An environmental professional shall</p>	Project developer	During construction.	City of Sacramento, Planning and Building Department

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		assess the situation and make appropriate recommendations.			Verification of Compliance
<b>7.8 BIOLOGICAL RESOURCES</b>					
7.8-1 Fill jurisdictional waters of the United States.	(a) If it is determined that project construction activities will not result in the discharge or placement of fill materials (which include, but are not limited to construction materials such as culverts or support structures) in the canals that are located along the western and southern boundaries of the project site, impacts to habitats near the canal can be mitigated through implementation of Mitigation Measure 7.8-3(a) and (b).  OR (b) If it is determined that project construction activities will result in the discharge or placement of fill materials (which include, but are not limited to construction materials such as culverts or support structures) in the canals that are located along the western and southern boundaries of the project site, the project applicant shall retain a qualified biologist to prepare a wetland delineation and mitigation plan that provides for: (1) identification of waters of the U.S. that could be impacted by the Proposed Project, (2) avoidance of or no net loss of waters of the U.S. in the project area, and (3) the compensation methodologies for project impacts on waters of the U.S. The delineation and mitigation plan shall be submitted for review and approval by the Corps prior to initiation of construction, and shall include a five-year monitoring program to ensure success.	If it is determined that project construction activities will not result in the discharge or placement of fill materials in the canals implement Mitigation Measure 7.8-3(a) and (b).  OR If it is determined that project construction activities will result in the discharge or placement of fill materials in the canals the project applicant shall retain a qualified biologist to prepare a wetland delineation and mitigation plan.	Project developer/contractor	Prior to issuance of grading permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works
			Project developer/contractor	Prior to issuance of grading permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN						
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
	OR (c) In lieu of developing a mitigation plan that outlines the avoidance or creation of waters of the U.S., the project applicant shall purchase mitigation credits through a Corps-approved mitigation bank. The purchased credits shall fully offset the acreage and value of waters of the U.S. lost due to project construction.  These measures may be implemented by obtaining applicable permits from the Army Corps of Engineers and CDFG.  These measures may be implemented by obtaining applicable permits from the Army Corps of Engineers and CDFG.	OR In lieu of developing a mitigation plan that outlines the avoidance or creation of waters of the U.S., the project applicant shall purchase mitigation credits through a Corps-approved mitigation bank.	Project developer/contractor	Prior to issuance of grading permit.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works	
7.8-3 Loss of Swainson's Hawk nesting habitat.	(a) The project applicant/developer shall comply with all requirements of the adopted Natomas Basin HCP and any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS and conditions in the ITPs issued by USFWS and CDFG.  (b) Pre-construction surveys to determine whether any Swainson's Hawk nest sites occur on or within 1/2 mile of the lands designated for development.	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer/contractor	Prior to and during construction.	City of Sacramento, Planning and Building Department.	
	(c) Timing restrictions for construction activity if an occupied Swainson's hawk nest is identified (i.e., defer construction activities until after the nesting season) and then, if unavoidable, the nest tree may be destroyed during the non-nesting season.  (d) An on-site biological monitor (CDFG-approved raptor biologist funded by the developer) would be assigned to the project if construction or other project-related activities that could cause nest abandonment or forced fledging are proposed within the 1/4 mile buffer zone.	Perform pre-construction surveys for Swainson's Hawk nest sites.  Any trees that are to be removed that contain occupied nests must be removed during non-nesting season.  Assign an on-site biological monitor.	Project developer/contractor	Prior to construction.	City of Sacramento, Planning and Building Department.	

FOR CITY CLERK USE ONLY

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## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN						
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
	(e) Valley oaks, tree groves, riparian habitat and other large trees will be preserved wherever possible. The City and Sutter County shall preserve and restore stands of riparian trees used by Swainson's hawks and other animals, particularly near Fisherman's Lake and elsewhere in the Plan Area where large oak groves, tree groves and riparian habitat have been identified in the Plan Area.	Preserve valley oaks, tree groves, riparian habitat, and other large trees wherever possible.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department.	
	(f) The raptor-nesting season shall be avoided when scheduling construction near nests in accordance with applicable guidelines published by the Wildlife Agencies or through consultation with the Wildlife Agencies.	Comply with Wildlife Agencies guidelines with regards to construction near nests.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department.	
	(g) Annually, prior to the Swainson's hawk nesting season (March 15 to September 15) and until build out of their Authorized Development has occurred, the City of Sacramento and Sutter County will notify each landowner of any property within the permit area(s) on which a Swainson's hawk nest tree is present, and will identify the nest tree, and alert the owner to the specific mitigation measures prohibiting the owner from removing the nest tree.	Annual notification of landowners of any property within the permit area on which Swainson's Hawk nest tree is present.	Project developer/contractor	Prior to and during construction.	City of Sacramento, Planning and Building Department.	
7.8-4 Loss of foraging and nesting habitat for non-listed special-status avian species.	(a) Implement Mitigation Measure 7.8-3 (a).  (b) For the northern harrier, loggerhead shrike, tricolored blackbird, and white-tailed kite:	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	The project applicant shall retain a qualified biologist to conduct pre-construction (no earlier than 2 weeks prior to project construction activities) nest surveys within (1) the trees that are along the western and southern boundaries of the project sites, (2) any other trees that may be removed or damaged as a result of project	A qualified biologist shall conduct pre-construction (no earlier than 2 weeks prior to project construction activities) nest surveys. Prior to fledging, a buffer zone (equipment	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of	

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
	construction or operation, (3) within suitable grassland nesting habitat for northern harrier, and (4) within suitable nesting habitat for tri-colored blackbird (e.g., within the blackberry thickets that are along the western boundary of the proposed project site). If active nests for any of these species are found, the nest sites shall be reported to CDFG. Removal of the nesting substrate that contains the nest(s) shall be conducted in accordance with CDFG direction. At a minimum, removal of the nesting substrate shall be delayed until after a qualified biologist has determined that the chicks in the nest(s) have fledged. In addition, prior to fledging, a buffer zone (equipment exclusion zone) of at least 100 feet should be established around the nest(s) to avoid disturbance to active nest(s) during project construction. If no active nests are found, no mitigation would be required.	exclusion zone) of at least 100 feet should be established around the nest(s) to avoid disturbance to active nest(s) during project construction. If no active nests are found, no mitigation would be required.			Sacramento, Department of Public Works.
	OR In lieu of conducting pre-construction surveys, the project applicant shall ensure construction activities do not occur during the nesting season of these species (typically March 1 through July 31).	OR In lieu of conducting pre-construction surveys, the project applicant shall ensure construction activities do not occur during the nesting season of these species (typically March 1 through July 31).	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.
	(c) For the western burrowing owl: Mitigation shall include, but not be limited to, the following items as identified in the Natomas Basin HCP: Prior to project construction, the project applicant shall retain a qualified biologist to conduct pre-construction surveys of suitable habitat within the project sites within 30 days prior to project construction to document the presence and distribution of burrowing owls. If ground-disturbing activities are delayed or suspended for more	A qualified biologist shall conduct pre-construction surveys of suitable habitat within the project sites within 30 days prior to project construction to document the	Project developer/contractor	30 days prior to project construction.	City of Sacramento, Planning and Building Department; City of

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## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
	than 30 days after the pre-construction survey, the site shall be re-surveyed.	presence and distribution of burrowing owls.			Sacramento, Department of Public Works.
	Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verifies through noninvasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.	Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.
	If nest sites are found, the USFWS and the CDFG shall be contacted regarding suitable mitigation measures, which may include a 300-foot buffer from the nest site during the breeding season (February 1 – August 31), or a relocation effort for the burrowing owls if the birds have not begun egg-laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival.  If relocation of the owls is approved for the site by the USFWS and CDFG, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site.  Where onsite avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitation on Conservancy upland reserves.	If nest sites are found, the USFWS and the CDFG shall be contacted regarding suitable mitigation measures.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.

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RESOLUTION NO.:

DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
7.8-5 Loss of giant garter snake habitat.	(a) Implement Mitigation Measures 7.8-3 (a).	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer/contractor	Prior to and during construction.	City of Sacramento, Planning and Building Department.
	(b) Timing restrictions: No grading, excavating or filling activities will take place within 30 feet of existing giant garter snake habitat between October 1 and May 1, unless approved by CDFG. By conducting earth-moving activities during the summer months when snakes are active, it is expected that snakes in the construction area will be able to avoid construction equipment such that direct injury or mortality would be avoided. Further, snakes will not be in their winter retreats where they are vulnerable to injury during earth-moving activities.	No grading, excavating or filling activities will take place within 30 feet of existing giant garter snake habitat between October 1 and May 1, unless approved by CDFG.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department.
	(c) Dewatering requirements: Dewatering of existing habitat will begin after November 1, but no later than April 1 of the following year. All water must be removed from existing habitat by April 15, or as soon thereafter as weather permits, and the habitat will be kept dry without any standing water for 15 consecutive days after April 15 and prior to excavating or filling the dewatered habitat. By dewatering habitat between November 1 and April 1, snakes would not be attracted to construction zones when they emerge from their winter retreats. If habitat must be dewatered after April 15, it must remain dry for 15 consecutive days prior to excavating or filling the habitat. Snakes have been found to leave habitat within a few days of dewatering (USFWS, 1999b). By waiting 15 days after dewatering, it is reasonable to expect that any snakes would have left the construction zone prior to start of construction activities and injury to snakes would be avoided.	Dewatering of existing habitat will begin after November 1, but no later than April 1 of the following year.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department.
7.8-6 Development of the proposed project would result in the	a) Implement Mitigation Measures 7.8-1(a)	If it is determined that project construction activities will not result in the discharge or placement of fill materials in the	Project developer/contractor	Prior to project construction.	City of Sacramento, Planning and Building

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DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN						
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
loss of biological resources (cumulative)		canals implement Mitigation Measure 7.8-3(a) and (b).			Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-1(b)	OR If it is determined that project construction activities will result in the discharge or placement of fill materials in the canals the project applicant shall retain a qualified biologist to prepare a wetland delineation and mitigation plan.	Project developer/contractor	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-1(c)	OR In lieu of developing a mitigation plan that outlines the avoidance or creation of waters of the U.S., the project applicant shall purchase mitigation credits through a Corps-approved mitigation bank.	Project developer/contractor	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-3 (a)	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer/contractor	Prior to and during project construction.	City of Sacramento, Planning and Building Department	
	Implement Mitigation Measures 7.8-3 (b)	Perform pre-construction surveys for Swainson's Hawk nest sites.	Project developer/contractor	Prior to construction.	City of Sacramento, Planning and Building Department	

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RESOLUTION NO.:

DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
	Implement Mitigation Measures 7.8-3 (c)	Any trees that are to be removed that contain occupied nests must be removed during non-nesting season.	Project developer/contractor	Prior to construction.	City of Sacramento, Planning and Building Department
	Implement Mitigation Measures 7.8-3 (d)	Assign an on-site biological monitor.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department
	Implement Mitigation Measures 7.8-3 (e)	Preserve valley oaks, tree groves, riparian habitat, and other large trees wherever possible.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department
	Implement Mitigation Measures 7.8-3 (f)	Comply with Wildlife Agencies guidelines with regards to construction near nests.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department
	Implement Mitigation Measures 7.8-3 (g)	Annual notification of landowners of any property within the permit area on which Swainson's Hawk nest tree is present.	Project developer/contractor	Prior to and during project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN						
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
	Implement Mitigation Measures 7.8-4 (a)	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-4 (b)	A qualified biologist shall conduct pre-construction (no earlier than 2 weeks prior to project construction activities) nest surveys. Prior to fledging, a buffer zone (equipment exclusion zone) of at least 100 feet should be established around the nest(s) to avoid disturbance to active nest(s) during project construction. If no active nests are found, no mitigation would be required.	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
		OR In lieu of conducting pre-construction surveys, the project applicant shall ensure construction activities do not occur during the nesting season of these species (typically March 1 through July 31).	Project developer	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-4 (c)	A qualified biologist shall conduct pre-construction surveys of suitable habitat	Project developer/contractor	30 days prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	

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RESOLUTION NO.:

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DATE ADOPTED:

## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN						
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party	Verification of Compliance
		within the project sites within 30 days prior to project construction to document the presence and distribution of burrowing owls.			Building Department; City of Sacramento, Department of Public Works.	
		Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG.	Project developer/contractor	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
		If nest sites are found, the USFWS and the CDFG shall be contacted regarding suitable mitigation measures.	Project developer/contractor	Prior to project construction.	City of Sacramento, Planning and Building Department; City of Sacramento, Department of Public Works.	
	Implement Mitigation Measures 7.8-5(a)	Comply with adopted Natomas Basin HCP and Natomas Basin HCP EIR/EIS.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department	
	Implement Mitigation Measures 7.8-5 (b)	No grading, excavating or filling activities will take place within 30 feet of existing giant garter snake habitat between October 1 and May 1, unless approved by CDFG.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department	

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:



## Exhibit 1 – Mitigation Monitoring Plan

PROMENADE AT NATOMAS PROJECT MITIGATION MONITORING PLAN					
Impact	Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party Verification of Compliance
	Implement Mitigation Measures 7.8-5 (c)	Dewatering of existing habitat will begin after November 1, but no later than April 1 of the following year.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department
<b>7.9 CULTURAL RESOURCES</b>					
7.9-2 No archaeological or prehistoric resources are known to exist in the project area. The proposed project could impact unidentified resources.	Should artifacts, exotic rock, bone, or a concentrated deposit of shell be uncovered during any future construction activities, an archeologist shall be consulted for an on-the-spot evaluation. If bone is uncovered that appears to be human, the County Coroner shall be contacted. If the coroner determines that the bone is likely to be Native American in origin, then the Native American Heritage Commission shall be contacted to identify most likely descendants.	Should artifacts, exotic rock, bone, or a concentrated deposit of shell be uncovered during any future construction activities, an archeologist shall be consulted for an on-the-spot evaluation.	Project developer/contractor	During construction.	City of Sacramento, Planning and Building Department

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE RELATING TO THE APPROVAL OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND THE FONG RANCH PROPERTY OWNERS FOR PROPERTY LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

## SECTION 1

This Ordinance incorporates, and by this reference makes part hereof, that certain Development Agreement, by and between the City of Sacramento and the Fong Ranch Property Owners, a copy of which is attached hereto.

## SECTION 2

The City Council finds:

1. The agreement is consistent with the city general plan and the goals, policies, standards and objectives of any applicable specific or community plan;
2. The project should be encouraged in order to meet important economic, social, environmental or planning goals of any applicable specific or community plan;
3. The project would be unlikely to proceed in the manner proposed in the absence of a development agreement;

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***FOR CITY CLERK USE ONLY***

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

4. The landowner will incur substantial costs in order to provide public improvements, facilities or services from which the general public will benefit;
5. The landowner will participate in all programs established and/or required under the general plan or any applicable specific or community plan and all of its approving resolutions (including any mitigation monitoring plan), and has agreed to financial participation required under any applicable financing plan and its implementation measures, all of which will accrue to the benefit of the public;
6. The landowner has made commitments to a high standard of quality and has agreed to all applicable land use and development regulations.

### SECTION 3

The Development Agreement attached hereto is hereby approved, and the Mayor is authorized to execute after the effective date of this Ordinance said Development Agreement on behalf of the City of Sacramento. This approval and authorization is based upon the Environmental Impact Report and Mitigation Monitoring Plan which is the subject of a separate resolution adopted by City Council prior to or concurrent with the adoption of this Ordinance.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

P00-033

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***FOR CITY CLERK USE ONLY***

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

A copy of the Development Agreement  
is available for Review at:

City of Sacramento  
Planning Division  
1231 I Street, Room 300  
Sacramento, CA 95814  
(916) 264-5894

8 a.m. - 5 p.m.  
Monday through Friday

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***FOR CITY CLERK USE ONLY***

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP FOR 126.4± GROSS ACRES FROM 95.6± GROSS ACRES OF HEAVY COMMERCIAL OR WAREHOUSE AND 30.8± GROSS ACRES OF MIXED USE TO 95.6± GROSS ACRES OF REGIONAL COMMERCIAL AND OFFICES AND 30.8± GROSS ACRES OF MIXED USE, FOR PROPERTY LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**WHEREAS**, the Planning Commission conducted a public hearing on April 22, 2004, and the City Council conducted a public hearing on August 10, 2004 concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The proposed land use amendment is compatible with the surrounding land uses;
2. The subject site is suitable for commercial, and office development; and
3. The proposal is consistent with the policies of the North Natomas Community Plan and the General Plan.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:**

The property described on the attached Exhibit 1 in the City of Sacramento is hereby re-designated on the General Plan land use map from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use. APN: 225-0160-086

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

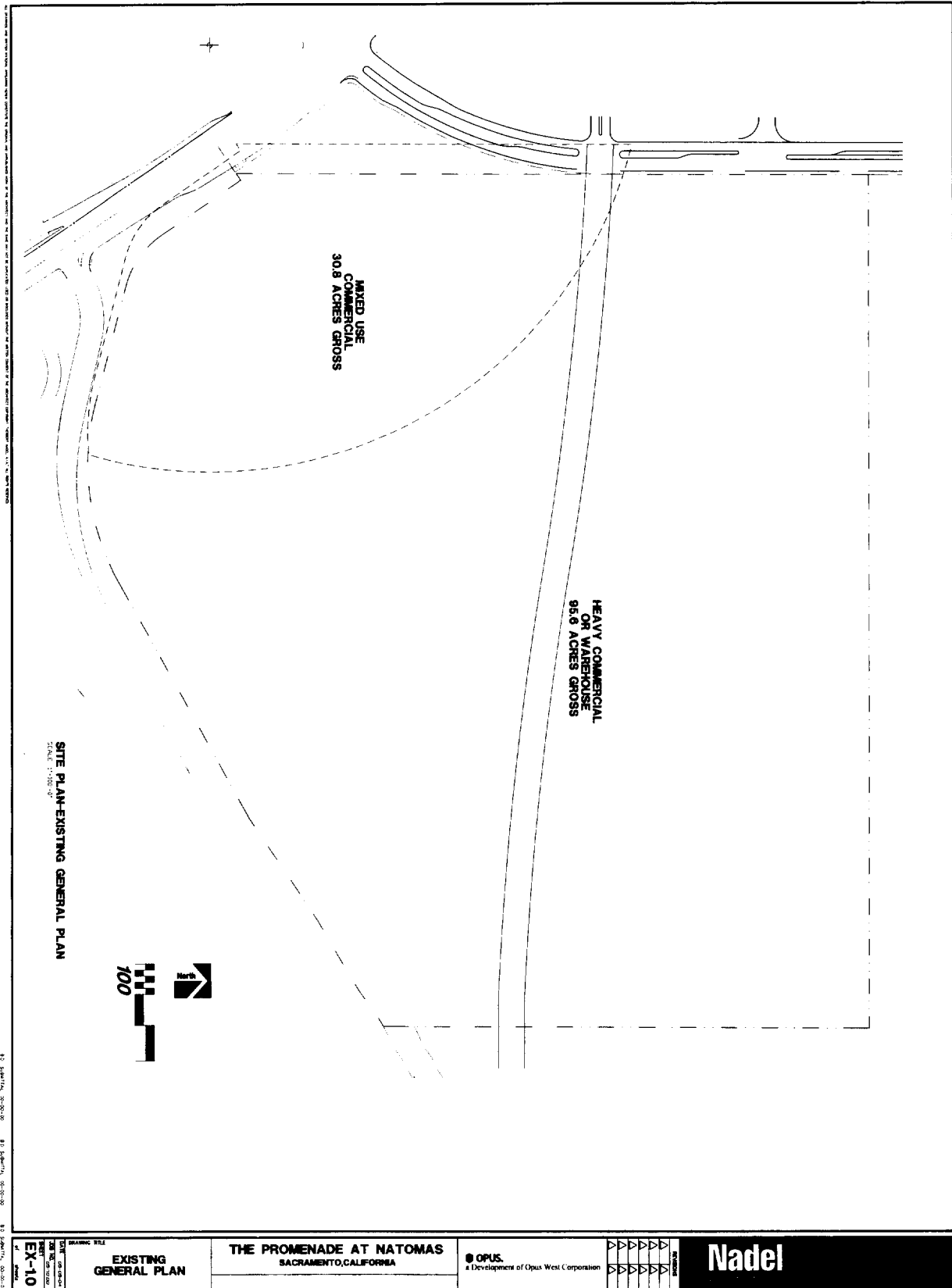
P00-033

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT 1 - General Plan Amendment (Existing Designation)

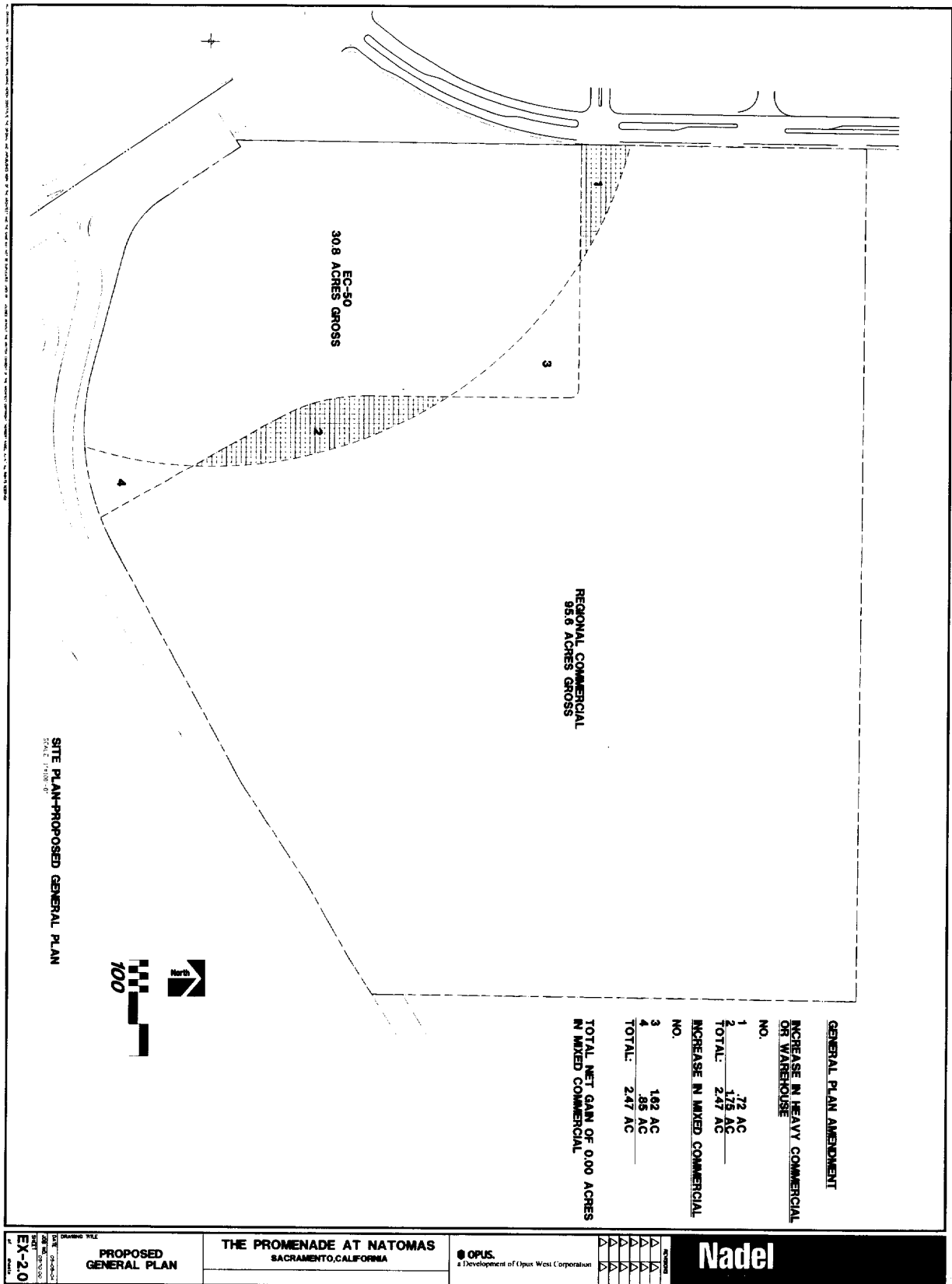


**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT 1 - General Plan Amendment (Amended Designation)



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION AMENDING THE NORTH NATOMAS COMMUNITY PLAN LAND USE MAP TO REDESIGNATE 126.4± GROSS ACRES FROM 91.25± GROSS ACRES OF LIGHT INDUSTRIAL, 30.27± GROSS ACRES OF EMPLOYMENT CENTER 50, AND 4.88± GROSS ACRES OF MAJOR ROADS TO 80.7± GROSS ACRES OF REGIONAL COMMERCIAL, 26.02± GROSS ACRES OF EMPLOYMENT CENTER 50, 8.6± GROSS ACRES OF PARKS/OPEN SPACE, AND 11.08± GROSS ACRES OF MAJOR ROADS, LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**WHEREAS**, the Planning Commission conducted a public hearing on April 22, 2004, and the City Council conducted a public hearing on August 10, 2004 concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The proposed land use amendment is compatible with the surrounding land uses;
2. The subject site is suitable for commercial, and office development; and
3. The proposal is consistent with the policies of the North Natomas Community Plan and the General Plan.

## **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:**

The property as described on the attached Exhibit 1 in the City of Sacramento is hereby re-designated on the North Natomas Community Plan land use map from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads. APN: 225-0160-086.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

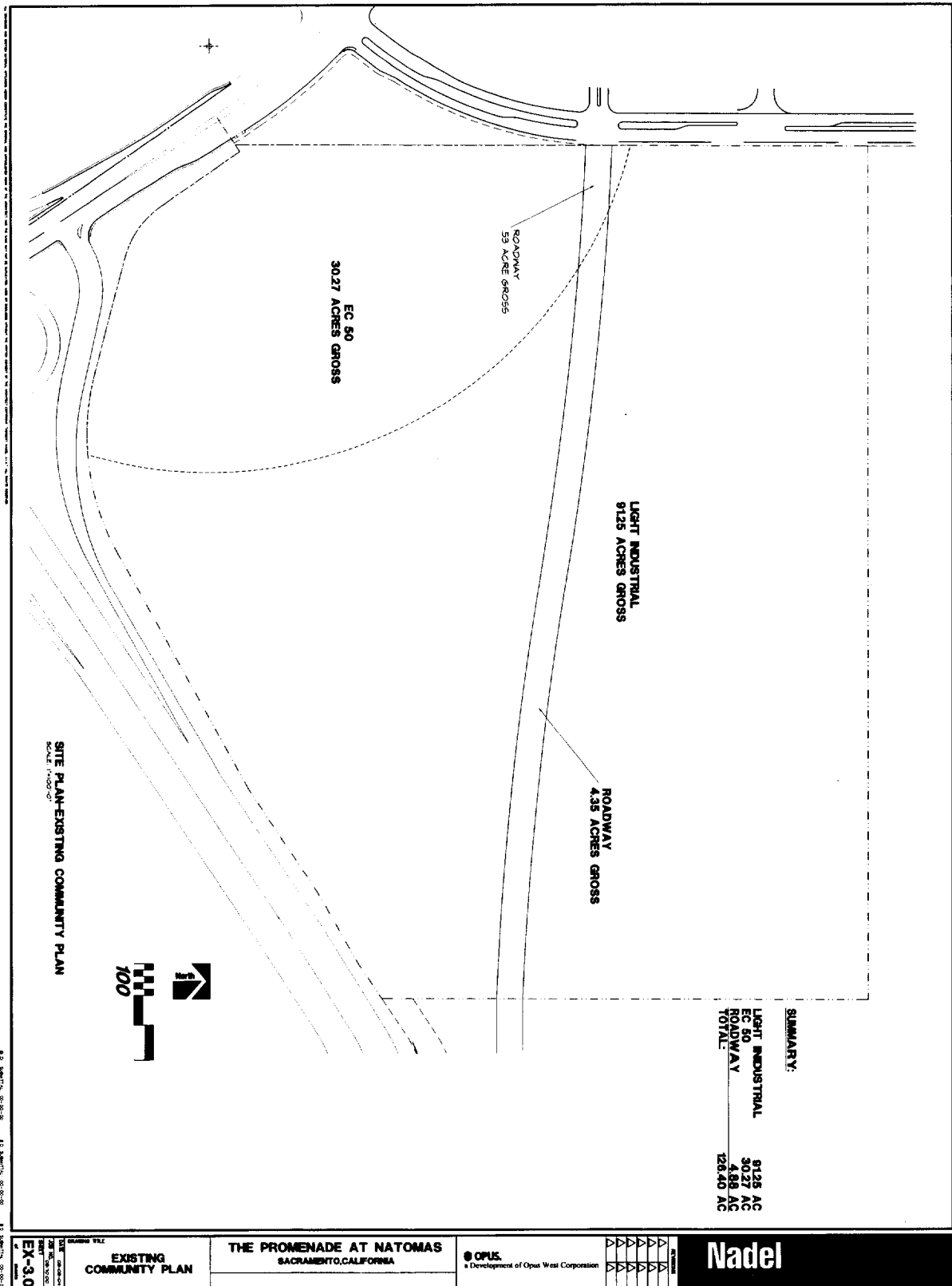
P00-033

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT 1 - Community Plan Amendment (Existing Designation)

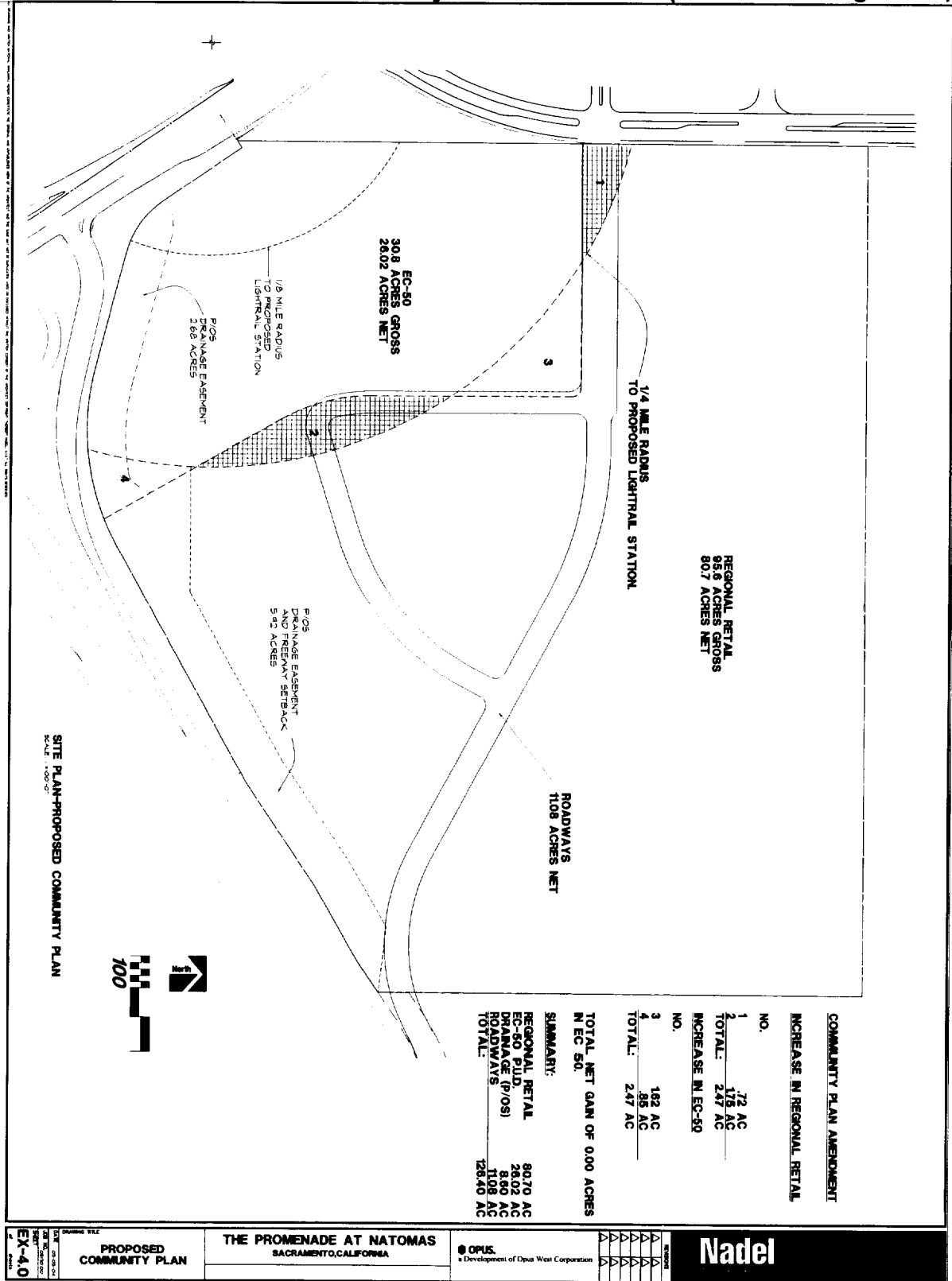


**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT 1 - Community Plan Amendment (Amended Designation)



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE (TITLE 17 OF THE CITY CODE), BY REZONING 126.4± GROSS ACRES OF AGRICULTURAL PLANNED UNIT DEVELOPMENT (A PUD) TO 89.6± GROSS ACRES OF SHOPPING CENTER PLANNED UNIT DEVELOPMENT (SC PUD), 28.12± GROSS ACRES OF EMPLOYMENT CENTER 50 PLANNED UNIT DEVELOPMENT (EC-50 PUD), AND 8.6± GROSS ACRES AGRICULTURE-OPEN SPACE PLANNED UNIT DEVELOPMENT (A-OS PUD), IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

## SECTION 1

The attached Exhibit 1 describes properties and both their current zoning and the zones for which they are to be placed pursuant to this amendment.

The zoning designation for the following properties which 126.4± gross acres of Agricultural Planned Unit Development (A PUD), are hereby removed and placed into 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD) zones for:

APN: 225-0160-086

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**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

SECTION 2

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps, which are a part of said Ordinance to conform to the provisions of this Ordinance.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

P00-033

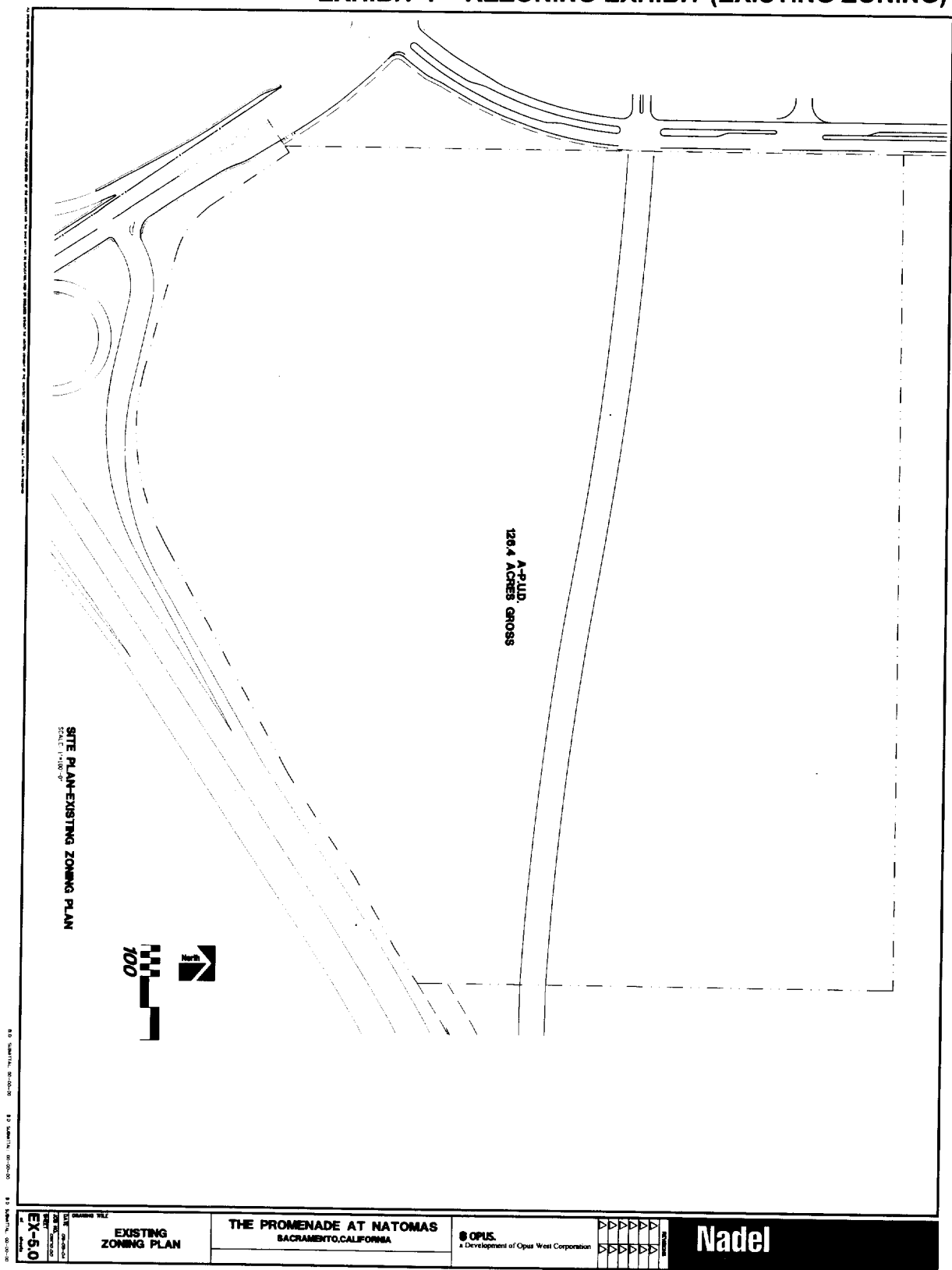
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**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT 1 – REZONING EXHIBIT (EXISTING ZONING)



**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**TRUXEL ROAD**

**GATEWAY PARK BOULEVARD**

**NORTH STREET**

**LOOP STREET**

**BLVD**

**INTERSTATE 80**

**EC-80**  
30.8 ACRES GROSS  
28.12 ACRES NET

**SC PUD**  
88.6 ACRES GROSS  
89.68 ACRES NET

1/8 MILE RADIUS  
TO PROPOSED  
LIGHT RAIL STATION

A-OS PUD  
DRAINAGE EASEMENT  
2.69 AC

A-OS PUD  
DRAINAGE EASEMENT  
5.2 AC

**FREEWAY**

**BLVD**

**INTERSTATE 80**

**SITE PLAN**  
SCALE 1"=100'

**100'**

**LEGEND**

**ZONING PLAN AMENDMENT**

**INCREASE IN SC**

**INCREASE IN EC-80**

**TOTAL EC NET GAIN OF 109 NET AC**

**ZONING SUMMARY:**

NO.	ACRES	NET ACRES
1	1.62	1.62
2	1.37	1.37
3	1.85	1.85
4	2.47	2.47
<b>TOTAL:</b>	<b>7.31</b>	<b>7.31</b>

**SC-PUD**  
88.6 AC  
89.68 AC  
DRAINAGE (A-OS PUD)  
5.2 AC  
**TOTAL:** 128.40 AC

**THE PROMENADE AT NATOMAS**  
SACRAMENTO, CALIFORNIA

**OPUS**  
Development of Opus West Corporation

**Nadel**

**PROPOSED ZONING PLAN**

**EX-8-0**

ORDINANCE NO.:\_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION ESTABLISHING THE PROMENADE AT NATOMAS  
PLANNED UNIT DEVELOPMENT AND ESTABLISHING CERTAIN  
GUIDELINES AND A SCHEMATIC PLAN, LOCATED IN NORTH NATOMAS,  
NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY  
PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**WHEREAS**, the Planning Commission conducted a public hearing on April 22, 2004, and the City Council conducted a public hearing on August 10, 2004 concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The PUD amendments conform to the General Plan and the North Natomas Community Plan; and
2. The PUD amendments meet the purposes and criteria stated in the City Zoning Ordinance in that the PUD facilitates mixed uses designed to assure that new development is healthy and of long-lasting benefit to the community and the City; and
3. The PUD amendments will not be injurious to the public welfare, nor to other property in the vicinity of the development and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures that development will be well-designed, and that the residential, commercial, and open spaces uses will not create a negative impact on adjacent uses.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Sacramento, in accordance with the Comprehensive Zoning Ordinance, Title 17 of the City Code, as amended, that:

1. The Planned Unit Development Guidelines for the Promenade at Natomas Planned Unit Development are attached hereto as Exhibit 1.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

2. The Schematic Plan for the Promenade at Natomas Planned Unit Development, is established as attached hereto as Exhibit 2, with the following conditions:
- a. Map conditions shall supersede PUD guidelines.
  - b. Site access to individual parcels will be determined as part of the Special Permit review process. Appropriate North Natomas documentation and good engineering practices will be utilized in the access review. Site access shall be at the discretion of the Development Engineering and Finance Division.
  - c. All proposed PUD elements within public right-of-way (Street Cross-Sections, Landscaping etc) shall be to City Standards and at the discretion of the Development Engineering and Finance Division.
  - d. With the first Special Permit applied for in the Employment Center (office) portion of the Promenade at Natomas PUD Schematic Plan the City will determine whether the applicant/property owner and/or successors in interest shall allocate up to 350 parking spaces to be used as park-n-ride spaces. The applicant and Regional Transit are encouraged to maximize the use of shared parking arrangements. For dedicated park-n-ride spaces, compensation by Sacramento Regional Transit shall be determined on the basis of fair market value.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

P00-033

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**PLANNED UNIT DEVELOPMENT GUIDELINES**

for

**THE PROMENADE AT NATOMAS**

October 2003

(Revised March 2004)

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **102**

DATE ADOPTED: \_\_\_\_\_

Opus West Corporation  
8880 Cal Center Drive, Suite 360  
Sacramento, CA 95826  
Telephone: (916) 340-3247

Prepared for Opus West by:

**Nadel**  
**Architects Inc.**

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.:\_\_\_\_\_

**104**

DATE ADOPTED:\_\_\_\_\_

EXHIBIT 1 – Promenade at Natomas PUD Guidelines

Walkways

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**Section VII Building Occupancy ..... Page 37**

**Appendix A Signage Regulations ..... Page A-1**

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **105**

DATE ADOPTED: \_\_\_\_\_

**SECTION I. PURPOSE AND INTENT**

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The Promenade is a Planned Unit Development (herein referred to as “the PUD”) constituting a total of approximately 126.4 gross acres to be designated with the following zones: EC-50, for land within a ¼ mile radius from the proposed light rail station and EC-80 for land within 1/8 mile radius from the proposed light rail station, and SC, which will include but not be limited to retail and restaurant uses. These guidelines, as approved and accepted by the City of Sacramento City Council, shall be adopted and used by the PUD’s Architectural Review Committee (“Committee”) and the City. The Owner(s) and/or Owner’s representative(s) shall be responsible for establishing and maintaining the Committee, identifying the terms and criteria for membership and providing successors. The Committee shall adhere to the following objectives in reviewing development plans:

1. To develop the land in the PUD in a manner which complements and enhances the value of the land and the structures within and adjacent to the PUD.
2. To provide a guide for use by architects, engineers, City staff, and elected and appointed City decision-makers during the review process for each Special Permit requested for development in the PUD.
3. To establish circulation, safety, comfort, convenience and general welfare.

The guidelines shall incorporate the Schematic Plan for The Promenade PUD as approved by the City Council. These Guidelines are intended as a supplement to existing City Ordinances and shall prevail when different from other applicable City Ordinances. Any amendments hereto can only become effective upon approval by the Planning Commission of the City of Sacramento.

**SECTION II. PROCEDURES FOR APPROVAL**

---

- A. Special Permit Required:** Development of parcels within the PUD shall be subject to Special Permit approval by the City Planning Commission. The allowed uses conform to the uses allowed in the EC-50 and SC Zones in the City of Sacramento Zoning Ordinance and include those uses listed in Table 1 (Page 11) of these guidelines. Special Permit development plans shall be in conformance with the Schematic Plan and PUD Guidelines approved by the City Council. The PUD guidelines shall establish the architectural theme(s) for the PUD.
- B. Preliminary Review:** Preliminary plans shall be submitted to the Planning Director for preliminary review prior to submission of an application to amend the PUD Guidelines and/or Schematic Plan. A preliminary review of Special Permit applications may be required when the City determines that such a review is essential to a thorough review.
- C. Project Application:** The following information shall be submitted with a Special Permit application.
1. **Project Application:** The project application shall include the names and addresses of the applicant, architect, contractor, developer, and engineer.
  2. **Site Plan(s):** The Site Plan shall show the following:
    - a. All roads, street names, easements, bus stops, and public right-of-way.
    - b. Topography showing existing grades and proposed grades at one-foot intervals with spot elevations as required to clarify drawings, together with building corner elevations.
    - c. Locations of existing buildings, proposed buildings, and proposed building pads.
    - d. Front, side, and rear setbacks and distances from buildings to property or parcel lines at perimeter of the PUD.
    - e. Locations and details of site drainage including pipes, berms, ditches, swales, sewer alignments, manholes, and invert grades.
    - f. On-site circulation including ingress/egress, driveways, parking areas and typical parking stalls, maneuvering aisles, loading, truck delivery routing and service areas, and walkways.
    - g. Locations of trash enclosures, compactors, recycling facilities (including outside storage and screening devices for trash), mechanical and communication equipment, and meters.
    - h. Sewer alignments and location of manhole and invert grades.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

- i. Land use distribution including percentage and square footages of the site used for the following:
    - (1) Building Pad.
    - (2) Surface parking and any other areas.
    - (3) Landscaping (includes private sidewalks and patios).
  - j. Bar Scale.
  - k. Phasing scheme, if applicable.
  - l. Retaining walls as needed.
  - m. Temporary and permanent fences including materials and height.
  - n. Building limit lines (if applicable) to illustrate general building pad areas, but allowing flexibility to accommodate specific tenant requirements and building configurations.
3. Landscape Plan: The Landscape Plan shall be consistent with these Guidelines.
- a. Show compliance with shading ordinance.
4. Elevations: The building elevations shall be consistent with these Guidelines and shall show the following:
- a. Roof projections and/or roof plan and screening treatment.
  - b. Exterior building elevations shall depict all sides and height to top plate and top of roof and screening elements.
  - c. Exterior colors and materials of construction (prior to public hearing).
5. Miscellaneous Documentation: This information may be obtained concurrently with the processing of the special permit application, but shall be obtained prior to granting of any special permit.
- a. Written approval of the project plans by the Architectural Review Committee.
  - b. Written documentation of consultation with Regional Transit regarding the impacts of the development design on transit efficiency and effectiveness in serving the entire development, if such development differs substantially from the PUD schematic plan or special permit(s) approved for the The Promenade project. Single tenant pad buildings of less than 15,000 square feet of building area shall not be subject to this requirement.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **108**

DATE ADOPTED: \_\_\_\_\_

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

- c. Transportation Systems Management Plan submittal shall be regulated by, and be subject to, the provisions of the City Zoning Ordinance and/or provisions in the Mitigation Monitoring Plan.
- d. Lighting Plan: The Lighting Plan shall be consistent with these Guidelines and shall show the following:
  - 1) Location of all exterior site lighting.
  - 2) Design of all exterior lighting including colors, materials, height, and approximate wattage.
  - 3) Plot plan showing the overall luminance of the proposed lighting (i.e., various foot candles levels).
- e. Signage Plan: A Signage Plan shall be submitted with each Special Permit Application, shall be consistent with these Guidelines and shall indicate the locations of all permanent signs. A separate signage permit will be required for construction of approved signage.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **109**

DATE ADOPTED: \_\_\_\_\_

**SECTION III. PROCEDURES FOR AMENDMENT**

---

Amendments to the Schematic Plan and/or Guidelines shall be approved by the City Council or, in limited circumstances by the Planning Commission, in accordance with the provisions of Section 4-E.3 of the Zoning Ordinance. The Schematic Plan approved by the City Council concurrently with these Development Guidelines is conceptual in nature, and adjustments that do not materially affect the nature or character of the PUD, such as the number of configuration of parcels, building orientation, placement of buildings and entrances, landscaping, and parking configuration, may be made during the Special Permit process without the need to amend the Schematic Plan.

The modifications to the number, size, configuration of parcels, and the distribution of land uses within the PUD will be allowed in order to coordinate with final building sizes and configurations, utility infrastructure coordination, specific user needs, etc. Special permit documents shall designate building limit lines. The size, number, and configuration of buildings within these lines may be modified without the need to modify the special permit. The overall building area, or land use area for the PUD, however, cannot exceed that which was previously approved.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **110**

DATE ADOPTED: \_\_\_\_\_

**SECTION IV. PERMITTED USES**

---

- A. Compliance with Schematic Plan:** Compliance with Schematic Plan shall be determined by the Planning Commission for Special Use Permits or by the Planning Director for minor modifications to the Schematic Plan or Special Permit as described above. Section III of the Guidelines outlines procedures for amendment of the Schematic Plan.
- B. Permitted Uses:** The intent of the PUD is to serve the surrounding area with regional office (employment center) and retail uses. The permitted uses are those normally allowed in the SC and EC-50 zones and those listed below in Table 1 on the following page.
- C. Building and Occupancy Standards:** The overall building square footage as approved in the PUD for each zone is approximately as follows. The Planning Commission, in accordance with Section 8-D of the Sacramento City Zoning Ordinance, may approve increases in the overall building square footage that do not exceed a maximum of ten percent (10%) of the overall square footage as approved in the PUD.
- EC-50: 450,000 gross square feet  
EC-80: 54,000 gross square feet (distributed with EC-50 area)  
SC: Retail: 751,000 gross square feet
- D. Wall Requirement:** A minimum six-foot high, masonry sound wall shall be placed along those property line(s) abutting residentially designated or utilized land prior to the issuance of the first PUD building permit. This requirement shall apply to those parcels immediately adjacent to a residentially zoned property unless.
- E. Hours of Operation:** Users in the PUD may operate their establishment 24 hours a day.

Table 1

**EC-50*****(EC-50) Primary Permitted Uses  
(45% min & 95% max of PUD net acres shall  
be primary uses)***

- Office
- High Tech Manufacturing Research and Development (Not limited to 25%, office may have 100% office uses)
- Medical Facilities: (See Zoning Ordinance)
- Educational/Vocational/Training (Public or Private)
- Banks/Savings and Loans
- Post Office
- Child Care

***(EC-50) Non Primary Uses:******(EC-50) Support Retail (10% Net Acreage Max)***

- Athletic Club
- Hotel/Motel/Inn
- Consumer Retail (Max 10,000 square feet per store with an aggregate building size of 30,000 square feet)
- Restaurants

***(EC-50) Residential (25% net acres max)***

- Multi-Family Residential

***(EC-50) Light Industrial/MRD***

- Distribution/Warehousing
- Manufacturing
- High-tech manufacturing research development (limited to 25% office)
- Assembly

***(EC-80) Primary Permitted Uses***

- Same as above for EC 50
- Exception for EC 80
  - A minimum of 45% and a maximum of 100% shall be designated for and

**SC Zone*****SC Permitted Uses:***

Permitted uses shall include those Listed for SC in the City of Sacramento Zoning Ordinance and include:

- Antenna/Communications Tower
- Amusement Centers
- Athletic Club
- Bakery
- Bar/Niteclub
- Barber/Beauty Shop
- Beer and wine sales for off-premises cons
- Child Care Center
- College Extension
- Commercial Services
- Community Center
- Drug/Convenience Market
- Dance School
- Diet Center
- Dry Cleaning
- Florist
- Food/Grocery/Deli
- Furniture Store
- Hotel
- Laboratory
- Laundromat
- Medical clinic/Office
- Motel
- Non-profit org
- Nursery/Garden Center
- Offices
- Parking lot, Garage
- Photographic Studio
- Prescription, Optician
- Produce Stand
- Recycling Facilities
- Restaurant
- Retail Stores
- Schools

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

devoted to primary uses.

**(EC-80) Non Primary Uses:**

- Same as above for EC-50

- Social Clubs
- Social svc financial mgt
- Theater-Movie or Stage
- Tutoring Center

**Table 1 (Continued)**

---

**SC Zone**

***SC Permitted Uses:***

- Vet Clinic/Hospital
- Wholesale Stores
- Warehouse Retail

Note: Warehouse retail is defined as any large floor plate retail tenant in excess of 15,000 s.f. and may provide a variety of goods and services. Examples include: Ikea, Costco, Sam's Club, Lowe's, Target, Kohls, Best Buy, Linens N Things, Bed Bath and Beyond, Old Navy, etc.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **113**

DATE ADOPTED: \_\_\_\_\_

**SECTION V. ENVIRONMENTAL STANDARDS**

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**A. General:** All buildings, structures, paved areas and building materials, color schemes, and landscape elements shall be designed and constructed so as to create a unique and desirable environment for the intended use(s). The project should be distinctive as viewed from along the major roadways. It should also provide a rich and exciting environment for customers.

**B. Landscaping:**

1. Objectives:

Reinforce the major pedestrian connection systems that abut the roads and driveways and the pedestrian connections between buildings and uses.

Provide for human scale and visual organization in parking lots.

Loading areas, service yards, and utility equipment shall be screened.

Design the landscaping to maximize energy conservation, human comfort and promote biodiversity with the introduced landscape.

The landscape concept shall encourage and frame views of the project, allowing full visibility of tenant signage, storefronts, and auto merchandising areas.

Internal streets and major pedestrian circulation routes shall be articulated differently from the parking field in order to reinforce the design theme, identify the circulation system as a way-finding element, and to reduce the scale of the parking field. This differentiation shall take precedent over canopy shade tree planting.

Landscape enhancements at internal drives and pedestrian circulation routes may include ornamental tree plantings and vertical tree plantings.

The PUD consists of five primary landscape zones which include:

Landscaping Zone 1: Gateway Park Boulevard

Location: The roadway that defines the western boundary of the PUD.

Concept: This area establishes one of the initial views of the project, and provides an introductory image for the project. The plantings shall include tree plantings similar to the west side of Gateway Park Boulevard.

Landscaping Zone 2: Main Entrance Road

Location: Main public roadway between Gateway Park Boulevard and the first intersection.

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

Concept: This is the major entry to the PUD, and therefore requires a strong, integrated design of landscaping, lighting, and graphics to create a distinct image for the project. Double rows of tree plantings are encouraged.

### Landscaping Zone 3:

Location: The public road within the PUD.

Concept: The primary purpose of this zone is to effectively merchandise retail and restaurant uses. Primary planting shall be turf, groundcover, and low shrubs. Street trees in front of retail buildings shall be minimized. Accent trees and plantings shall be provided at driveway entrances.

### Landscaping Zone 4: North and East Boundary

Location: The North and East PUD boundary.

Concept: This zone provides an overall backdrop to the PUD and consists primarily of vertical screen trees.

### Landscaping Zone 5: 100' Freeway Setback

Location: South PUD boundary fronting Interstate 80 freeway.

Concept: This zone establishes the public image against the freeway. This area may include trees, shrubs, turf, and groundcovers plus detention and storm water quality basins developed as seasonal water feature amenities for the project.

2. General: Landscaping shall comply with applicable City of Sacramento ordinances for drought tolerance and shall be composed of natural and decorative trees, ground cover and shrubs with automatic irrigation systems.
3. Approval of Landscape Plans: Special Permit applications shall include submittal of preliminary landscape and shading plans. The purpose of the Landscape Plan is to ensure integration and compatibility of landscaping for the site.
4. Plant List: All trees, shrubs, and groundcover types shall conform to the following PUD Plant List (Table 2 listed at the end of this section) unless an alternative type is approved by the City's Planning Director or Planning Architectural Review Committee.
5. Additional Accent Planting to meet tenant criteria may be incorporated with approval of the city's planning director or Architectural Review Committee.



## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

6. The term "landscape areas" shall refer to all areas within a given parcel not located in a structure and not utilized for parking, truck loading, storage, or refuse collection. Landscape areas, unless otherwise indicated, may include all walkways.
7. Parking and back-up space shall be landscaped to comply with the City of Sacramento Zoning Ordinance Section 6.D.19: "Trees shall be planted and maintained throughout the surface parking lot to ensure that within 15 years after the establishment of the parking lot, at least 50 percent of the parking area will be shaded." Driveways, drive isles and truck loading areas are not required to be shaded.
8. Underdeveloped Areas: All areas (within a developed parcel) not utilized for circulation, parking and services shall be landscaped utilizing groundcover, shrubbery or trees. Underdeveloped areas proposed for future construction shall be maintained in a reasonably weed free condition but need not be fully landscaped.
9. Landscaping of Rear Building Elevations: Side and rear elevations of any building visible from surrounding roadways shall be landscaped with attractive, varying materials. However, such landscaping shall not interfere with the visibility operation and identification of business establishments.
10. Perimeter screen walls, where used, shall be softened with appropriate landscaping and may include vines, shrubs, and/or trees. Special attention shall be paid to the design of the buildings visible from the Hwy 80 frontage to insure adequate screening of service areas.
11. Screening of Service Areas: Architecturally designed, compatibly-styled structures with plantings shall be used to screen service areas for loading, trash and recyclable material storage, and any approved external storage areas. It is contemplated, however, that landscaping features could interfere with the successful operation of a business or approved use. When/if this occurs, such landscaping may be modified in a manner to reduce such conflicts. A minimum 6'-0" high wall shall be provided at trash enclosures, docks and loading areas. Note: Trash and recycling containers within enclosed loading areas are not required to have separate enclosures.
12. Installation of Landscaping: Prior to the issuance of any temporary certificate of occupancy permit, each project's landscaping, including permanent automatic irrigation system, shall be installed to the City's satisfaction. Plants shall vary in size: 1 and 5 gallon shrubs; 5 and 15 gallon and 24 inch box trees. A minimum of 25% of the trees must be a combination of 15 gallon or 24 inch box trees.
13. Landscape Maintenance: A landscape maintenance program shall be established to ensure that landscape elements are well maintained. All landscaped areas shall be fully irrigated with permanent automatically controlled underground irrigation system.
14. All landscape areas within each zone shall be planted and irrigated in accordance with the planting palettes and criteria recommended in these design guidelines. All trees shall be double staked. Trees shall be secured with flexible tree ties and shall be staked in at least two places on species such as Chinese Pistache where extra

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

support is required to maintain a straight trunk.

15. The irrigation system shall be designed to minimize spray onto non-planted areas and auto display areas.
16. All irrigation heads within traffic or pedestrian areas shall be pop-up type heads. No fixed risers are permitted in these areas.
17. Irrigation systems shall be designed to provide the appropriate amount of water to each plant as efficiently as possible without over-watering.
18. The owner of each parcel shall at all times properly maintain and keep the entire parcel, including all improvements, in a safe, clean and sightly condition, in a good state of repair, and shall comply in all respects with all governmental, health, fire, and police requirements.
19. The owner of each parcel shall, at his/her own expense, remove rubbish of any character whatsoever which may accumulate on such parcel.
20. Undeveloped parcels shall be maintained in a neat, weed-free condition at the owner's expense. Owners of such parcels shall take measures to control dust impacting adjacent parcels.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_ **117**

DATE ADOPTED: \_\_\_\_\_

Table 2

**PLANT LIST**

All plant materials must be selected from the Plant Species List for North Natomas and the list below, subject to confirmation from site-specific soils analysis that plant species will survive.

**Large Trees (50'-100')****WATER USAGE**

HIGH	<i>Acer rubrum</i>	Red Maple
MEDIUM	<i>Acer saccharum</i>	Sugar Maple
MEDIUM	<i>Acer platanoides</i>	Norway Maple
HIGH	<i>Alnus rhombifolia</i>	White Alder
MEDIUM	<i>Araucaria heterophylla</i>	Norfolk Island Pine
MEDIUM	<i>Calocedrus decurrens</i>	Incense Cedar
MEDIUM	<i>Catalpa speciosa</i>	Western Catalpa
LOW	<i>Cedrus deodara</i>	Deodar Cedar
LOW	<i>Celtis australis</i>	European Hackberry
MEDIUM	<i>Cinnamomum camphora</i>	Camphor
MEDIUM	<i>Ginkgo biloba</i>	Maidenhair Tree
MEDIUM	<i>Gleditsia triacanthos</i>	Honeylocust
HIGH	<i>Liriodendrum tulipifera</i>	Tulip Tree
MEDIUM	<i>Magnolia grandiflora</i>	Southern Magnolia
HIGH	<i>Picea abies</i>	Norway Spruce
HIGH	<i>Picea pungens</i>	Colorado Spruce
MEDIUM	<i>Pinus canariensis</i>	Canary Island Pine
LOW	<i>Pistachia chinensis</i>	Chinese Pistache
MEDIUM	<i>Platanus acerifolia</i>	London Plane Tree
MEDIUM	<i>Platanus racemosa</i>	California Sycamore
MEDIUM	<i>Populus nigra "Italica"</i>	Lombardy Poplar
LOW	<i>Quercus lobata</i>	Valley Oak
LOW	<i>Quercus suber</i>	Cork Oak
LOW	<i>Quercus wislizenii</i>	Interior Live Oak
MEDIUM	<i>Quercus robur</i>	English Oak
MEDIUM	<i>Quercus rubra</i>	Red Oak
MEDIUM	<i>Quercus wilensii</i>	Interior Live Oak
LOW	<i>Sequoia sempervirens</i>	Coast Redwood
MEDIUM	<i>Ulmus parvifolia</i>	Chinese Elm
MEDIUM	<i>Zelkova serrata</i>	Green Vase Zelkova

**Medium Trees (30'-50')****WATER USAGE**

MEDIUM	<i>Alnus cordata</i>	Italian Alder
HIGH	<i>Betula jacquemontii</i>	Himalayan Birch
MEDIUM	<i>Carpinus betulus</i>	European Hornbeam

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LOW	<i>Celtis sinensis</i>	Chinese Hackberry
LOW	<i>Ceratonia siliqua</i>	Carob
LOW	<i>Cercidum floridum</i>	Blue Palo Verde
LOW	<i>Cercis canadensis</i>	Eastern Redbud
MEDIUM	<i>Liquidambar styraciflua</i>	Sweet Gum
MEDIUM	<i>Magnolia grandiflora</i>	Southern Magnolia
MEDIUM	<i>Maytenus boaria</i>	Mayten Tree
MEDIUM	<i>Morus alba</i> "Fruitless"	Fruitless Mulberry
HIGH	<i>Nyssa sylvatica</i>	Sour Gum
LOW	<i>Pinus halepensis</i>	Allepo Pine
LOW	<i>Pinus eldarica</i>	Afghan Pine
MEDIUM	<i>Pinus sylvestris</i>	Scotch Pine
HIGH	<i>Populus fremontii</i>	Fremont Cottonwood
MEDIUM	<i>Pyrus calleryana</i>	Ornamental Pear
LOW	<i>Quercus ilex</i>	Holly Oak
MEDIUM	<i>Sapium sebiferum</i>	Chinese Tallow Tree
LOW	<i>Schinus molle</i>	California Pepper Tree
MEDIUM	<i>Sophora japonica</i>	Pagoda Tree
HIGH	<i>Tilia cordata</i>	Linden
MEDIUM	<i>Umbellularia californica</i>	California Bay

### Small Trees (15'-30')

#### WATER USAGE

LOW	<i>Acacia baileyana</i>	Bailey Acacia
HIGH	<i>Acer ginnala</i>	Amur Maple
HIGH	<i>Acer palmatum</i>	Japanese Maple
LOW	<i>Albizia julibrissin</i>	Silk Tree
MEDIUM	<i>Arbutus unedo</i>	Strawberry Tree
LOW	<i>Cercis occidentalis</i>	Western Redbud
HIGH	<i>Cornus florida</i>	White Eastern Dogwood
MEDIUM	<i>Crataegus laevigata</i>	English Hawthorn
MEDIUM	<i>Crataegus phaenopyrum</i>	Washington Hawthorn
LOW	<i>Eleagnus angustifolia</i>	Russian Olive
MEDIUM	<i>Eriobotrya deflexa</i>	Bronze Loquat
MEDIUM	<i>Geijera parviflora</i>	Australian Willow
MEDIUM	<i>Koeleruteria paniculata</i>	Goldenrain Tree
LOW	<i>Lagerstroemia indica</i>	Crape Myrtle
HIGH	<i>Ligustrum lucidum</i>	Glossy Privet
HIGH	<i>Magnolia soulangiana</i>	Saucer Magnolia
HIGH	<i>Magnolia stellata</i>	Star Magnolia
HIGH	<i>Malusn spp.</i>	Snow Crabapple
HIGH	<i>Malus floribunda</i>	Flowering Maple
HIGH	<i>Podocarpus gracilior</i>	Fern Pine
HIGH	<i>Prunus serrulata</i>	Flowering Cherry
LOW	<i>Prunus lyonii</i>	Catalina Cherry
MEDIUM	<i>Prunus bliriana</i>	Flowering Plum
MEDIUM	<i>Prunus cerasifera</i>	Purple Leaf Plum

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MEDIUM	<i>Prunus caroliniana</i>	Carolina Laurel Cherry
MEDIUM	<i>Pyrus kawakami</i>	Evergreen Pear
LOW	<i>Raphiolepis x</i>	"Majestic Beauty"
LOW	<i>Rhus lancea</i>	African Sumac

## Large Shrubs (6'-15')

### WATER USAGE

HIGH	<i>Abelia grandiflora</i>	Glossy Abelia
LOW	<i>Acacia baileyana</i>	Bailey Acacia
HIGH	<i>Aucuba japonica</i>	Japanese Aucuba
LOW	<i>Berberis thunbergii</i>	Barberry
LOW	<i>Callistemon citrinus</i>	Lemon Bottlebrush
HIGH	<i>Camellia japonica</i>	Camellia
LOW	<i>Ceanothus thyrsiflorus</i>	Blue Blossom
HIGH	<i>Cocculus laurifolius</i>	Laurel-leaf Snailseed
HIGH	<i>Cornus stolonifera</i>	Red Twig Dogwood
LOW	<i>Cotoneaster lacteus</i>	Parney Cotoneaster
HIGH	<i>Cyperus papyrus</i>	Umbrella Plant
LOW	<i>Diosma album</i>	White Breath of Heaven
LOW	<i>Diosma pulchrum</i>	Pink Breath of Heaven
LOW	<i>Dodonea viscosa</i>	Hopseed Bush
LOW	<i>Dodonea viscosa</i>	Purple Hopseed Bush
MEDIUM	<i>Escallonia rubra</i>	Escallonia
LOW	<i>Euonymus alata</i>	Burning Bush
MEDIUM	<i>Feijoa sellowiana</i>	Pineapple Guava
MEDIUM	<i>Forsythia intermedia</i>	Golden Bells
MEDIUM	<i>Grevillea "Canberra"</i>	Canberra Grevillea
LOW	<i>Heteromeles arbutifolia</i>	Toyon
HIGH	<i>Ilex altaclarensis</i>	Wilson Holly
HIGH	<i>Ilex aquifolium</i>	San Gabriel Holly
LOW	<i>Lagerstroemia indica</i>	Crape Myrtle
LOW	<i>Laurus nobilis</i>	Grecian Laurel
HIGH	<i>Ligustrum japonicum</i>	Waxleaf Privet
HIGH	<i>Magnolia stellata</i>	Star Magnolia
LOW	<i>Mahonia lomarifolia</i>	Burmese Grape
LOW	<i>Nerium oleander</i>	Oleander "Mrs. Roeding"
LOW	<i>Nerium oleander</i>	Oleander "Little White"
LOW	<i>Nerium oleander</i>	Oleander
LOW	<i>Nerium oleander</i>	Oleander
MEDIUM	<i>Osmanthus fragrans</i>	Sweet Olive
MEDIUM	<i>Phormium tenax</i>	New Zealand Flax
MEDIUM	<i>Photinia fraseri</i>	Red-leaf Photinia
MEDIUM	<i>Photinia serrulata</i>	Chinese Photinia
MEDIUM	<i>Pittosporum crassifolium</i>	ncn
MEDIUM	<i>Pittosporum eugenioides</i>	Tarata
MEDIUM	<i>Pittosporum tobira</i>	Mock Orange
MEDIUM	<i>Pittosporum tenuifolium</i>	Towhiwhi

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MEDIUM	<i>Pittosporum undulatum</i>	Victorian Box
MEDIUM	<i>Podocarpus macrophyllus</i>	Yew Pine
MEDIUM	<i>Prunus cistena</i>	Sandcherry
MEDIUM	<i>Prunus caroliniana</i>	Carolina Cherry "Bright n Tight"
MEDIUM	<i>Prunus caroliniana</i>	Carolina Cherry "Com-pacta"
LOW	<i>Pyracantha coccinea</i>	Pyracantha
LOW	<i>Rhamnus alternus</i>	Italian Buckthorn
LOW	<i>Rosmarinus officinalis</i>	Rosemary "Miss Jessop's Upright"
MEDIUM	<i>Syzygium paniculatum</i>	Brush Cherry

### Medium Shrubs (3'-6')

#### WATER USAGE

HIGH	<i>Abelia grandiflora</i>	Pink Abelia "Sherwoodi"
LOW	<i>Agapanthus orientalis</i>	Lily-of-the Nile "Alba"
LOW	<i>Arbutus unedo 'Compacta'</i>	Dwarf Strawberry Tree
LOW	<i>Berberis thunbergii</i>	Red-leaf Barberry "Atropurpurea"
MEDIUM	<i>Buxus microphylla japonica</i>	Japanese Boxwood
MEDIUM	<i>Chaenomeles japonica</i>	Flowering Quince
HIGH	<i>Choisya ternata</i>	Mexican Orange
LOW	<i>Cistus purpureus</i>	Orchid Rockrose
LOW	<i>Citrus limon</i>	Lemon
LOW	<i>Echium fastuosum</i>	Pride of Madeira
MEDIUM	<i>Escallonia "Fradesii"</i>	Escallonia
MEDIUM	<i>Euonymus alata</i>	Compact Winged Euonymus "Compacta"
HIGH	<i>Gardenia jasminoides</i>	Mystery Gardenia
MEDIUM	<i>Grevillea "Noelii"</i>	ncn
MEDIUM	<i>Hydrangea macrophylla</i>	Bigleaf Hydrangea
HIGH	<i>Ilex crenata</i>	Japanese Holly
LOW	<i>Lavandula angustifolia</i>	English Lavender "Munstead"
LOW	<i>Lavandula dentata</i>	French Lavender
LOW	<i>Lavandula stoechas</i>	Spanish Lavender
HIGH	<i>Ligustrum vulgare</i>	Lodense Privet "Lodense"
LOW	<i>Mahonia aquifolium</i>	Oregon Grape
MEDIUM	<i>Myrsine africana</i>	African Boxwood
LOW	<i>Nandina domestica</i>	Dwarf Heavenly Bamboo "Compacta"
LOW	<i>Nandina domestica</i>	Heavenly Bamboo
LOW	<i>Nerium oleander "Petite"</i>	Oleander
MEDIUM	<i>Phormium tenax "Maori Chief"</i>	New Zealand Flax
MEDIUM	<i>Pittosporum tobira</i>	Tobira "Variegata"
HIGH	<i>Polystichum munitum</i>	Sword Fern
HIGH	<i>Potentilla fruticosa</i>	Cinquefoil
HIGH	<i>Prunus laurocerasus</i>	Zabel's Cherry Laurel "Zabeliana"
MEDIUM	<i>Prunus glandulosa</i>	Flowering Almond
LOW	<i>Raphiolepis indica</i>	India Hawthorn
HIGH	<i>Rosa californica</i>	Rose
LOW	<i>Rosmarinus officinalis</i>	Rosemary
LOW	<i>Salvia clevelandii</i>	ncn

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LOW	<i>Salvia greggii</i>	ncn
LOW	<i>Salvia leucantha</i>	Mexican Bush Sage
MEDIUM	<i>Sarcococca ruscifolia</i>	ncn
MEDIUM	<i>Spirea bumalda</i>	ncn
MEDIUM	<i>Spirea thunbergii</i>	ncn
MEDIUM	<i>Spirea vanhouttei</i>	ncn
MEDIUM	<i>Strelitzia nicolai</i>	Giant Bird of Paradise
MEDIUM	<i>Strelitzia reginae</i>	Bird of Paradise
LOW	<i>Viburnum tinus</i>	ncn "Spring Bouquet"
LOW	<i>Xylosma congestum</i>	Shiny Xylosma "Compacta"

### Small Shrubs (below 3')

#### WATER USAGE

HIGH	<i>Abelia grandiflora</i>	White Abelia "Prostrata"
LOW	<i>Agapanthus orientalis</i>	Dwarf Lily-of-the Nile "Peter Pan"
HIGH	<i>Azalea indica</i>	Azalea
LOW	<i>Berberis thunbergii</i>	Crimson Pygmy Barberry "Crimson Pygmy"
LOW	<i>Eriogonum fasciculatum</i>	California Buckwheat
HIGH	<i>Gardenia jasminoides</i>	"Little Gem" ncn
HIGH	<i>Iris douglasiana</i>	ncn
MEDIUM	<i>Limonium perezii</i>	Statice
LOW	<i>Mahonia aquifolium</i>	Dwarf Oregon Grape "Compacta"
LOW	<i>Myrtus communis</i>	Dwarf Roman Myrtle "Compacta"
LOW	<i>Nandina domestica</i>	Dwarf Heavenly Bamboo "Harbor Dwarf"
MEDIUM	<i>Phormium tenax</i>	New Zealand Flax "Jack Spratt"
MEDIUM	<i>Pittosporum tobira</i>	"Wheeler's Dwarf" ncn
MEDIUM	<i>Spirea nipponica</i>	ncn
LOW	<i>Teucrium chamaedrys</i>	ncn
LOW	<i>Tulbaghia violacea</i>	Society Garlic "Variegata"

### Ground Covers:

#### WATER USAGE

LOW	<i>Arctostaphylos</i>	"Emerald Carpet" ncn
MEDIUM	<i>Arctotheca calendula</i>	Cape Weed
HIGH	<i>Campanula poscharskyana</i>	
LOW	<i>Cerastium tomentosum</i>	Snow-In-Summer
MEDIUM	<i>Ceratostigma plumbaginoides</i>	
LOW	<i>Cotoneaster apiculatus</i>	
LOW	<i>Cotoneaster horizontalis</i>	Rock Cotoneaster
MEDIUM	<i>Euonymus fortunei</i>	"Minima"
MEDIUM	<i>Euonymus fortunei</i>	
LOW	<i>Festuca californica</i>	
LOW	<i>Festuca ovina</i>	"Glaucous"
HIGH	<i>Fragaria chiloensis</i>	Ornamental Strawberry
LOW	<i>Gazania</i>	

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## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

MEDIUM	<i>Glechoma hederacea</i>	Ground Ivy
MEDIUM	<i>Hedera helix</i> "Hahnii"	English Ivy
MEDIUM	<i>Hemerocallis</i> sp	Daylily
LOW	<i>Hypericum calycinum</i>	Creeping St. John's Wart
MEDIUM	<i>Lantana montevidensis</i>	Trailing Lantana
HIGH	<i>Liriope muscari</i>	Blue Lily Turf
MEDIUM	<i>Liriope spicata</i>	Creeping Lily Turf
MEDIUM	<i>Lonicera japonica</i>	Hall's Honeysuckle "Halliana"
LOW	<i>Lysimachia nummularia</i>	Moneywort
LOW	<i>Nandina domestica</i>	Dwarf Heavenly Bamboo "Harbor Dwarf"
HIGH	<i>Ophiopogon japonicus</i>	Mondo Grass
MEDIUM	<i>Osteospermum fruticosum</i>	African Daisy
HIGH	<i>Potentilla verna</i>	Spring Cinquefoil
LOW	<i>Rosmarinus officinalis</i>	Rosemary
LOW	<i>Santolina virens</i>	
LOW	<i>Santolina chamaecyparissus</i>	Lavender Cotton
LOW	<i>Thymus citriodorus</i>	
MEDIUM	<i>Trachelospermum asiaticum</i>	Asian Jasmine
MEDIUM	<i>Trachelospermum jasminoides</i>	Star Jasmine
MEDIUM	<i>Verbena</i>	
HIGH	<i>Veronica spicata</i> "Red Fox"	
LOW	<i>Vinca minor</i> "Bowles"	

### Vines

#### WATER USAGE

HIGH	<i>Ficus pumila</i>	Creeping Fig
MEDIUM	<i>Gelsemium sempervirens</i>	Carolina Jessamine
MEDIUM	<i>Hardenbergia violacea</i>	
MEDIUM	<i>Jasminum polyanthum</i>	Pink Jasmine
MEDIUM	<i>Lonicera japonica</i>	Purple Honeysuckle "Purpurea"
MEDIUM	<i>Lonicera japonica</i>	Hall's Honeysuckle "Halliana"
MEDIUM	<i>Mandevilla laxa</i>	Chilean Jasmine
MEDIUM	<i>Parthenocissus tricuspidata</i>	Boston Ivy
MEDIUM	<i>Parthenocissus quinquefolia</i>	Virginia Creeper
MEDIUM	<i>Passiflora pfordtii</i>	Blue Crown Passion Flower
MEDIUM	<i>Rosa banksiae</i>	Bank's White Rose "Alba Plena"
MEDIUM	<i>Rosa banksiae</i> "Lutea"	Bank's Yellow Rose
MEDIUM	<i>Trachelospermum jasminoides</i>	Star Jasmine
MEDIUM	<i>Wisteria sinensis</i> "Blue"	Chinese Wisteria

### Ornamental Grasses

#### WATER USAGE

MEDIUM	<i>Acorus</i>	Sweet Flag
MEDIUM	<i>Arrhenatherum elatius bulbosum</i>	Rattlesnake Grass

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## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

LOW	<i>Festuca amethystina</i> "April Green"	
LOW	<i>Festuca ovina</i> "Glaucia"	
MEDIUM	<i>Helictotrichon sempervirens</i>	Blue Oat Grass
LOW	<i>Imperata cylindrica rubra</i>	Japanese Blood Grass
MEDIUM	<i>Miscanthus sinensis</i>	Eulalia
MEDIUM	<i>Muelenbeckia rigens</i>	Deer Grass
MEDIUM	<i>Pennisetum setaceum</i>	Purple-leafed Fountain Grass
MEDIUM	<i>Stipa pulchra</i>	Purple Needlegrass

### C. Landscape Setbacks:

#### 1. Definitions:

- a. **Street Setbacks:** The amount of yard that must be dedicated to landscaping from back of curb. The entire minimum setback may be within the City right-of-way.
- b. **Side and Rear Yard Setbacks:** The amount of yard that must be dedicated to landscaping.
- c. **Attached or detached sidewalks or walkways, plazas, patios, curbs, landscape walls, signage and graphics, and landscaping may be installed within setback areas. Parking lot parking spaces and overhangs are not allowed in setback areas.**
- d. **Street Right-Of-Way:** In order to accommodate meanderings or detached sidewalks, parking lots or buildings abutting public street frontages shall have a setback from back of curb which varies according to the road segment right of way. The areas shall be landscaped with a combination of trees, shrubs and groundcover from the approved Plant List in Table 2. The height of shrubbery shall not exceed 30 inches.
- e. **All parking adjacent to roadways must be screened by a screen wall or berm a minimum of 12 inches in height. The wall will be measured from the finished elevation of the parking area directly behind the wall or berm. The Developer is providing a common landscape area along Interstate 80 and Truxel Road, which will include a 12 inch berm measured from the top of the adjacent sidewalk. This berm will vary in its relation to the grade of the lots depending upon the finished grade of the adjacent street. This berm shall be preserved and integrated into the final screening solution.**
- f. **No vehicle overhang in parking areas will be allowed in the landscape setback.**
- g. **The north and east boundary of the PUD shall have a 5' landscape setback.**
- h. **Freeway Setback Area:** The PUD shall provide a 100' minimum setback immediately adjacent to the freeway right of way. This area shall include landscaping as listed in Table 2 or as otherwise approved by the Design Review

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Committee. This area may also contain public roadways (the North Freeway Blvd. connection at the southeast boundary of the site) and right of ways RD-1000 drainage canal, detention and storm water quantity basins and bike paths.

- i. Internal property lines within the PUD have no setback requirements except residential uses which require a 15' setback.

### D. Circulation:

1. Pedestrian Circulation: Walkways shall be designed to link all buildings within the PUD. These walkways must provide connections to street access, bus stops, parking areas, adjacent structures and abutting properties. Connections between individually owned parcels may be limited to the public right of way. Walkways shall be designed with pedestrian health and safety in mind. Walkways shall be landscaped to provide shade in the summer and shall be constructed to visibly and physically delineate the walkway from other roads or vehicular access.
2. Connection: Walkways and related facilities shall be connected to the City's pedestrian/bicycle circulation system. Connection shall be designed and constructed to the satisfaction of the City Traffic Engineer.
3. Truck Circulation: Truck loading areas for major tenants over 10,000 square feet shall be located to the rear or sides of the buildings. Small tenants and buildings are not required to have separate loading facilities and may be served from the front or rear of their building.
4. Accessible Entrance: Safe and convenient access to the site and to all building entrances shall be provided in accordance with American with Disabilities Act. Access points shall have minimal grade changes, curb cuts, ramps and railings integrated into the overall design in accordance with accessibility regulations.
5. Bikeway Paths: Shall confirm with city bike master plan.

### E. Parking Standards:

1. Use Requirements:
  - a. The overall minimum parking requirement for all uses within the The Promenade PUD shall be per the City of Sacramento Zoning Ordinance. There is no maximum parking limitation within the PUD. Reciprocal parking shall allow compliance based on the entire PUD requirement rather than on a parcel by parcel basis. Individual tenants may have higher specific parking requirements.
  - b. Additional Parking for Garden Center and other outdoor and promotional sales areas is not required.

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### 2. Location of Parking:

- a. Transportation Systems Management: Carpool, vanpool, and bicycle parking spaces shall be located near the employee building entrances.
- b. Accessible Parking: Accessible parking spaces shall be located closest to the employee and customer entrances to the building. Accessible parking spaces shall be distributed across the site on a prorata basis for the entire center rather than on a parcel by parcel basis, with not less than one accessible space in close proximity to the primary building entrance.
- c. Bicycle Parking: Bicycle racks and enclosure/lockers for public use shall be located within public view, out of the way of pedestrian movement, and within sight of building entries. Bicycle enclosures/lockers for employee use may be located in employee areas outside of public view. The number and type of bike racks and enclosures required shall be as specified in the City Zoning Ordinance unless otherwise specified in a PUD Transportation System Management (TSM) Plan.
- d. Reciprocal Parking: To eliminate the need for entitlement(s) to allow reciprocal parking, reciprocal parking between adjacent parcels within the PUD shall be allowed, provided that appropriate access agreements are recorded and that minimum parking is provided for all uses.

### 3. Construction Requirements:

- a. Minimum stall dimensions and maneuvering areas shall correspond to the standards provided in the City Zoning Ordinance. These standards may be exceeded to correspond to specific tenant requirements. The use of individual prefabricated wheel stops is discouraged.
- b. A maximum of 40 percent of all vehicle-parking spaces may be compact spaces.
- c. Curbs, drives and parking surfaces shall be constructed in accordance with current City Standards.
- d. Textures: Driveway entrances and walkways shall be identified by asphalt or stamped and/or colored asphalt or concrete, brick or tile pavers, exposed aggregate, or other similar material.

### F. Exterior Lighting:

1. Exterior lighting is to be designed in a coordinated manner that enhances the quality image of this project, provides safety and security for all users within the project and

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is compatible with surrounding development. Also refer to section on energy conservation and public safety.

2. Illumination of tenant signage must be coordinated and consistent. Neon lighting may be used and must be compatible with other lighting in the project. Exterior illumination should be color-corrected, warm-white in tone. Differing types of illumination must be designed to be compatible.
3. Higher lighting levels may be utilized to enhance the project such as at entries, circulation routes, merchandising, and display areas, etc. All lighting should be shielded to prevent off site glare.
4. Lighting within the public right-of-way shall be metal halide or mercury vapor.
5. Parking lot lighting shall be metal halide light source or equivalent.
6. Parking lot pole heights shall not exceed 35' feet.
7. Throughout the project area, sodium vapor lighting is discouraged.
8. Soffit or wall-mounted down lights at building entrances (same light source).
9. Service doors, metal boxes, above-ground transformers, and other utilities should not be highlighted with lighting.
10. All exterior lighting must be shielded to prevent off-site glare.
11. No security light fixtures shall be mounted above wall fascia or on roof of building.
12. Security lighting for man-doors shall use wall-mounted down lighting fixtures and not "Walpak" type fixtures, except in screened service areas. "Walpak" type security lighting fixtures are permitted only behind screen walls or opaque landscaping in loading and service areas.
13. Lighting design shall be such as not to produce hazardous glare to motorists, building occupants, residents of adjacent areas, or the general public.
14. No roof-top lighting, including searchlights, illuminating advertisements, or balloons, shall be permitted except in the case of security lights if deemed necessary and installed so as to not be intrusive to neighboring property owners and motorists.
15. Site and/or building walls may be ground illuminated.
16. Colored accent lighting will be allowed.
17. Neon building lighting will be allowed at the discretion of the Planning Director or the

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### Architectural Review Committee.

#### **G. Utilities:**

In order to maintain consistency and quality within the PUD's site development, individual parcels which share common driveways or have reciprocal access easements may have common utilities to address site lighting, irrigation, etc. Individual buildings on separate parcels shall have separate building utilities.

#### **H. Performance Standards:**

1. **Purpose and Intent:** It is the intent of these Guidelines to prevent any use in the PUD which may create dangerous, injurious, noxious or otherwise objectionable conditions.
2. **Nuisances:** No nuisance shall be permitted to exist in the PUD. The term "nuisance" shall include, but not be limited to, any use which:
  - a. Emits dust, sweepings, dirt, fumes, odors, gases, or other substances into the atmosphere which may adversely affect the health, safety, or welfare of persons working within the PUD or residing in adjacent neighborhoods.
  - b. Discharges of noxious liquid or solid wastes or other harmful matter into any stream, river, or other body of water which may adversely affect the health, safety, or welfare of those working within the PUD or residing in adjacent neighborhoods.
  - c. Exceeds permissible noise levels as established by the City's Noise Ordinance.
  - d. Stores hazardous or toxic materials on-site unless in compliance with all applicable governmental regulations.
3. **Public Safety:** To protect and enhance the public safety, the following measures shall be implemented:
  - a. A minimum lighting level of 1.5 foot candles as measured at the parking lot surface shall be maintained from one hour before dark until one hour after dark.
  - b. Individual businesses in the PUD shall have well lit, clearly visible, and well defined addresses.
  - c. Once a majority (51%) of the occupiable square feet of the buildings in the PUD is constructed and certified for occupancy, a minimum of one state

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licensed uniformed security guard (or at the option of the owner a specifically employed off-duty Sacramento Police officer) shall routinely patrol the parking lot and PUD premises from the opening of business until closing of business within the PUD. Security guard(s) shall meet the requirements of Sacramento City Code including, but not limited to Section 30.02. If 24-hour operation is requested by applicant, time of security patrols will be from opening of business dusk to dawn.

- d. Until such time as a majority (51%) of the occupiable square feet of the buildings in the PUD is constructed and certified for occupancy, the security guard(s) shall routinely patrol the parking lot and PUD premises from dusk until closing of business. If 24-hour operation is requested by applicant, time of security patrols will be from opening of business dusk to dawn.
- e. A PUD Management Plan which details security measures shall be submitted for the review and approval of the City Planning Director and City Police Department at least two weeks before the issuance of any occupancy permits.
- f. Should unauthorized after-hours use of the PUD parking lot become a problem following completion and operation of the PUD, the Owner(s) of the PUD and the City Police Department shall meet to develop and implement additional security measures and modifications to the Security Management Plan. If the security measures and modifications fail to reduce the problems arising from unauthorized use after a reasonable period of time has elapsed, then the Police Department may require the Owner to close the parking areas with gates during after-hour periods to prevent unusual levels of criminal activity or loitering from taking place within sections of the PUD. Before installation of the gate, the design and location of the gates shall be reviewed and approved by the City Planning Division, the City Traffic Engineer, and the Police Department. If no agreement can be reached on additional security measures or gates for the parking area, the Owner(s) of the PUD may appeal the matter to the City Planning Commission for a determination. The decision of the Planning Commission may be appealed to the City Council for final determination.
- g. All parcels shall be posted with signs indicating "No Skateboards," "No Scooters," "No Rollerblades or Skates," and "No Loitering."

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

### SECTION VI. BUILDING STANDARDS

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#### A. Purpose and Intent

The purpose of the following architectural design guidelines is to foster an orderly and aesthetically pleasing development of high quality architecture that provides for diversity within a consistent architectural vocabulary.

The PUD shall have architectural themes that are consistent for each area described below. The intent of the design theme is to establish consistency within each themed area while allowing for and achieving design diversity between each building. Consistent use of themes, materials, colors, and building orientations shall be applied to the uses and circulation systems within each themed area. The design of the PUD shall be compatible with the nearby and adjacent land uses and visually interesting from the surface streets. All building entries shall be well defined and may provide employee access through rear entrances.

The PUD is divided into three general themed areas according to uses.

#### Architectural Zone 1

- The first area (EC-50) in the southwest corner of the PUD contains employment center uses used in Table 1 of these guidelines.

Its location at the intersection of Interstate 80 and Truxel Road provides a key opportunity to establish a high quality image for the entire PUD.

The goal of this zone is to create a sophisticated, contemporary corporate environment. The primary buildings (over 15,000 s.f.) should be articulated with broad gestures of metal, concrete, masonry, and/or glass. Traditional building forms are discouraged for primary buildings.

#### Architectural Zone 2

- The second area (SC: Promenade Retail) occupies the central portion of the site, and extends to the south to be bounded by the EC-50 area to the West and (SC: Retail) to the west and east near the freeway edge.

Buildings in this zone create a pedestrian scale area of retail shopping and food uses. This area provides vehicular access and parking at its perimeter, while excluding or limiting internal vehicle access. The tenants in the Promenade area will generally be of a smaller type with the potential of medium sized "anchor" tenants. This area will provide opportunities for social gathering related to the restaurant and shopping provided.

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### Architectural Zone 3

- The third area (SC: Retail) along the north, east and south portions of the PUD bounded by the EC-50 on the west contain retail uses allowed w/in the SC Zone. This zone has contemporary elements in common with the other two zones but also reflects the more festive characteristics of its retail use and shall accommodate a hierarchy reflecting the promotional value of each tenant.

The three areas may differ in material, articulation, and theme and the specific boundaries may change to reflect final leasing considerations.

Individual building less than 10,000 square feet may deviate somewhat from the overall architectural theme or vocabulary of the area in which they are located, but must be approved by the Planning Director and the Architectural Review Committee.

Buildings in each area shall be designed to convey an image of consistency and quality. Natural materials may be used to create a timeless environment that promotes a sense of establishment and permanence. With the possible exception of individual pad buildings (under 10,000 square feet), no attempt should be made to establish a theme that tries to literally reproduce a historic architectural style, i.e. Spanish, Western, etc.

### **B. Articulation:**

The overall colors palette, materials, and themes for each of the zones shall be submitted to the City Planning Department concurrent with the first special permit application in that zone. Some variation to accommodate individual tenant criteria will be allowed at the discretion of the Planning Director and Committee.

Each of the themed areas shall utilize a “kit of parts” to provide diversity within a consistent architectural vocabulary. These parts may include:

- Variation of building wall massing, parapets and rooflines to break down the massing of larger buildings.
- Coordinated wall colors, textures, and/or materials within an approved family of colors and materials.
- Consistent graphic cornices, parapets and rooflines.
- Wall transitions with trellises, pilasters or other unifying elements.
- Columns and pilasters of consistent material and shape.
- Trellises and arcades.



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- Consistent roofing and/or awnings.
- Towers.

### C. Building Setbacks:

In order to promote the opportunity for an active street scene and enrich the pedestrian experience, building setbacks shall be the same as the landscape setbacks listed elsewhere in these guidelines with the following exceptions.

- Street Setbacks: Buildings that contain retail, restaurant and office uses shall have a minimum setback of 25 feet from back of curb. See "Landscape setbacks" for additional requirements.
- Buildings adjacent to residential uses should have a minimum setback of 15 feet.
- There are no setback requirements for interior property lines within the PUD.
- Any setbacks not identified above shall be as required by the City Zoning Ordinance or as approved by the City Planning Director.

### D. Building Height:

For major retail tenant and inline shop buildings, the maximum height shall be 50 feet. Architectural details, such as tenant entries and towers may increase the height to 75'. For pad buildings, the maximum height shall be 35 feet, with architectural details, such as tenant entries and towers, not to exceed 50 feet in height.

- The maximum height for all buildings and structures within the PUD shall be 75 feet (except as indicated below).
- Buildings within the EC-50 zone shall have a maximum of four stories. An increase in height and number of stories shall be granted in the EC-zone to increase density to EC-80 and five stories at the discretion of the City Planning Director.
- Additional exceptions to these requirements shall be per the City of Sacramento Zoning Ordinance.

### E. Exterior Building Materials:

1. Materials and colors should be compatible throughout each of the themed areas within the PUD; however, the requirement should be liberally interpreted to accommodate tenant image programs.

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2. Finished building materials shall be applied to all sides of the building, including trash enclosures and mechanical and communications equipment screens.
3. Consistent building materials, architectural style, textures, colors, roof treatment and landscaping shall be utilized on all sides of buildings visible from roadways, adjacent properties or the general public.
4. All screening materials for HVAC, SMUD boxes, and other mechanical and/or communications equipment shall be compatible with the exterior building materials.
5. Metal, stone, brick, concrete, or masonry columns should be used to support covered promenades, trellises and tenant entries.
6. Parapets heights shall be high enough to screen roof-mounted equipment from finish grade at roadways immediately adjacent to the site. Changes in parapet height shall be used to enhance tenant entries, provide tenant individuation, and articulate building elements, (i.e., parapets and corners).
7. Building materials may consist of tilt up concrete, masonry brick, stone, cement plaster, or metal panels. Wood may be used in limited areas. Roof canopies and exposed roofing may be tile, metal, glass, or translucent glazing. Roofing material should be compatible throughout each of the themed areas. Awnings may be either translucent glazing metal, glass, or canvas. Glass shall be clear, tinted, translucent or spandrel glass. The use of reflective glass is also allowed but is discouraged immediately adjacent to pedestrian walkways.
8. Tenant entry facades should contain the primary tenant identification signs. The length, width, and height of the facade should accommodate a hierarchy of retailers to reflect the promotional value of each tenant.
9. Towers may be developed either in conjunction with tenant entries or as freestanding thematic elements. Any tower should be accented with lighting.
10. Exposed unpainted concrete or concrete block is not acceptable for exposed exterior surfaces other than in concealed service areas. However, the intent is not to preclude such concrete block construction as split face block, combed face block, texture block, slump stone, or other similar materials.

### F. Colors:

1. All colors shall be harmonious and compatible with the colors of other buildings in the PUD. The color scheme shall be subject to review and approval by the Committee and the planning director.
2. Variations in color or multiple colors shall be appropriate within an overall, planned, and attractive palette of colors. Building colors shall be diverse with contrast of color

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value, tone and hue. Contrasting materials, patterns, textures, and color are encouraged to create interest, focus, unity, and compatibility for building face accent areas or features.

### G. Pad Retail Buildings:

1. Pad retail buildings should contain elements that are complimentary with the themed area where it is located. Due to the wide variety of individual tenant and owner requirements and the “accent” nature of these buildings, the Planning Director and the “Committee” shall liberally interpret their compliance with these guidelines.

### H. Roof Projections and Design:

1. All air conditioning units, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the materials and colors of the exterior building finish.
2. Projections shall be painted to match the roof or building.

### I. Energy Conservation Standards:

1. Purpose and Intent: The purpose of these standards is to set forth cost-effective energy saving measures which shall be incorporated into building design.
2. Buildings shall be designed to meet current State and Federal energy conservation requirements at the time of construction.
3. Landscaping shall be designed to shade structures, walks, streets, drives, and parking areas so as to minimize surface heat gain.
4. Site design shall consider thermal and glare impacts of construction materials on adjacent structures, walkways, streets, drives, parking areas, and vegetation.
5. Outdoor lighting shall provide the minimum level of site lighting commensurately with site security. A minimum of 1.5-foot candles as measured at the parking lot surface shall be maintained from one hour before dark until one hour after dark. A minimum of 0.25 foot candles shall be maintained along all alcoves and walkways.
6. Periodic energy-use audits shall be conducted by SMUD to identify wasteful consumption practices and opportunities for energy conservation.
7. The use of alternative energy sources such as solar, wind, and geothermal energy are encouraged.

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

### J. Temporary Structures:

1. Temporary structures permitted include those related to the construction of a permanent building. Such structures may be placed on-site at the start of project construction but shall be removed at completion of construction of the permanent structures. Examples of such structures are: trailers, mobile homes and other structures not affixed to the ground. Such structures shall be inconspicuous as possible and shall cause no inconvenience to the general public.
2. Temporary structures associated with promotional sales such as Christmas trees or fireworks sales will be allowed on a limited basis and shall be approved by the architectural review committee.
3. Concurrent temporary structures for construction related activities and promotional sales are permitted during the construction period of permanent facilities.

### K. Loading Areas:

1. Truck loading docks(s) shall be an integral part of the structure. Loading areas oriented to any public right of way or adjacent to residentially zoned or utilized properties shall be screened. The facilities shall not create a nuisance and shall be located in the most inconspicuous manner possible.
2. The site plan must provide adequate on-site space for service and delivery vehicles. Landscaped islands, curbs, and signs shall be used to clearly distinguish parking from loading and delivery areas and driving lanes.

### L. Outside Storage:

1. Open-air storage of materials, supplies, equipment, mobile equipment, finished or semi-finished products or other articles are discouraged. All exterior storage areas shall be screened from view with landscaping and/or walls consisting with the architecture of the buildings.

### M. Canopy Structures:

1. Separate canopy or shade-type parking structures may be installed in approved parking areas provided they are generally screened from public street view, and they are not used in lieu of service facilities. Structural elements, beams, and columns, shall be tubular or boxed forms. Edges of the structures shall be finished with fascia with colors which match or complement building colors. The design of canopy structure shall be subject to approval by the Committee.

### N. Trash Enclosures/Recycling Facilities/Trash Receptacles:

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

1. Trash enclosures and recycling facilities shall be located within a building whenever possible.
2. If trash enclosures and/or recycling facilities cannot be located within the building, then the facilities shall be located away from adjacent residential areas and in the most inconspicuous manner possible so as not to create a nuisance.
3. Outside garbage and recycling facilities shall not be located within any required landscaped setback area.
4. Outside garbage and recycling facilities shall be concealed by a minimum 6-foot high screening wall constructed of materials similar to and compatible with the building(s) it serves. Landscaping (shrubs and/or vines) shall be placed along the screening walls to soften the presence of the facilities. Trees shall be provided to screen the overview of trash and garbage from the upper floors of adjacent or nearby buildings.
5. Outside garbage and recycling facilities shall have decorative, solid heavy gauge metal gates and cane bolts to secure the gates when in the open or closed positions.
6. Construction and design of garbage/recycling facilities shall meet all City standards.
7. Outside trash receptacles shall not be located in any required setback area and shall be designed to match the color, design, and materials of the shopping center buildings.
8. Trash enclosures shall be designed to allow walk-in access by tenants without the need to open the main enclosure gates.

### **O. Garden Center:**

Garden Center enclosures should be integrated into the architectural vocabulary of the particular themed area. Fencing and/or greenhouses should be provided with a colonnade to match the building. Fencing may be a combination of solid wall, vinyl coated chain link or ornamental metal. Indoor plant enclosures or covered canopies shall be compatible with the rest of the center.

### **P. Utility Connections, Mechanical Equipment and Communications Equipment:**

1. Placement of mechanical and communications equipment, utility meters, and storage tanks shall be located within the building whenever possible.
2. If such equipment cannot be located within a building, visual barriers such as walls or landscaping shall be used.
3. Equipment shall not be located adjacent to residential areas or within any required landscaped setback area.

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4. Equipment shall be located so as not to cause nuisance or discomfort from noise, fumes, odors, etc., unless prohibited by utility companies.
5. All new utility lines shall be underground.
6. Penthouse and equipment screening shall be of a design and material harmonious with the related buildings.
7. The design of visual barriers will be subject to review and approval by the City Police Department prior to construction.

### **Q. Walkways:**

1. General: Walkways will be located throughout the PUD to provide convenient access between uses.
2. Materials: Walkway materials shall be compatible with the buildings in the PUD. Surfaces shall have a non-skid finish. Layout and design shall provide maximum comfort and safety to pedestrians.
3. Connections: Walkway patterns shall have an obvious relationship to the buildings. Frequent, convenient, and covered walkway connections may be provided along building frontages and, when feasible, between adjacent buildings, public sidewalks and bus turnouts.
4. Lighting: Walkways shall be well lit to provide safety and convenience to pedestrians.
5. Seating shall be provided at key locations along walkways.

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

### SECTION VII. ISSUANCE OF BUILDING PERMITS

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No building permit shall be issued for any building, sign structure, or other land use in the PUD until the Planning Director has received the building permit application and has determined that said application conforms to a valid Special Permit issued for the PUD under this section

### SECTION VIII. BUILDING OCCUPANCY

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No building or structure within the PUD can be occupied until the Planning Director has determined that the applicant has complied with all conditions of the Special Permit.

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# **PROMENADE**

**A T N A T O M A S**

SACRAMENTO, CALIFORNIA

## **Signage Guideline**

March 2004



**DSIGNART**

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- 1.2 Design Intent
- 1.3 Approval and Permit
- 1.4 General Requirement
- 1.5 Specific Design Criteria
- 1.6 Administration
- 1.7 Prohibited Sign
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- 2.2 Freeway Oriented Pylon
- 2.3 Entry Monument
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- 2.5 Directory Signs
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- 3.2 Anchor Tenant
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## **1. General Criteria**

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### **1.1 Purpose:**

The Promenade at Natomas signage program has been established for the purpose of assuring a functional, coordinated graphics program that will provide project and Tenant identification and traffic control, while encouraging creativity, compatibility, and enhancement of the project in the City of Sacramento.

### **1.2 Design Intent:**

The guidelines of this program are designed to complement architectural elements of the existing buildings and coordinate the type, placement, and physical dimensions of signs within the shopping center thereby appearing as an integral part of the center and not appearing as an after thought.

In cases not covered by Promenade at Natomas Signage Program, the prevailing criteria will follow the City of Sacramento Sign Ordinance in force.

### **1.3 Approvals and Permit:**

A) Each Tenant or Lessee will be provided with a copy of the Tenant sign guidelines and criteria as their first step in obtaining signs within the Promenade at Natomas Shopping Center. Compliance with this signage program will be strictly enforced. Any non-conforming or unapproved sign installed by Tenant must be brought into compliance at Tenant's expense.

B) These criteria shall not imply that any governmental approval will be automatically granted. Tenant is solely responsible for obtaining any and all required approvals from governmental agencies and shall obtain all permits from the City of Sacramento Planning Department and Building Department.

### **1.4 General Requirements:**

A) Each Tenant is required to submit to Landlord for approval before fabrication, at least four (4) copies of detailed design drawings indicating the location, size, copy layout, colors, materials, finishes, illumination, and method of attachment.

B) All permits for signs and their installation shall be obtained by Tenant or Tenant's representative, at Tenant's sole expense prior to installation.

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- C) All signs shall be constructed, installed and maintained at Tenant's sole expense.
- D) All signs shall be designed consistent with the City of Sacramento's adopted sign design guidelines for signs.
- E) Tenant shall be responsible for fulfillment of all governmental requirements and specifications, including those of the City of Sacramento and Uniform Electric Code.
- F) All signs shall be reviewed for compliance with the above mentioned criteria, as well as processed through a secondary review concerning overall design quality. Approval or disapproval of sign submittals based on aesthetics of design shall remain the right of Landlord, Landlord's representative and the City of Sacramento.

### 1.5 Specific Design Criteria:

- A). All signs should meet or exceed all current applicable codes (i.e. electrical, mechanical, structural, etc).
- B). Signage should meet all requirements of the State of California and the City of Sacramento.
- C). Sign content shall be limited to business identification signs only; products or service shall not be displayed on any permanent signage. Anchor and Major Tenants, however, are permitted secondary signage ("pharmacy", "photos", and the like) when it forms part of a recognized corporate logo or slogan.
- D). Tenant wall signs shall be individual pan-channel letters constructed of aluminum backs and returns with acrylic faces and internal neon lighting.
- E). On all freestanding signs, including monument signs, only the sign's copy shall be illuminated, and not the sign's background.
- F). The choice of copy font and colors shall be at discretion of the Tenant and shall be approved by owner/designer.
- G). All exterior signs shall be secured by stainless steel, nickel, or cadmium plated fasteners.

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- H). All exposed fasteners to be painted to match the background surface.
- I). All wireways, transformers, electrical boxes, switches, wiring, conduit, and access doors shall be concealed.
- J). All exterior signs exposed to the weather shall be flush mounted, unless otherwise specified.
- K) All Tenant signs attached to building wall or fascia shall be connected to a junction box provided by Landlord, with the final electrical hook up and connections by Tenant's sign contractor. All Tenants shall have their signs connected to their own electrical panel.
- L) All penetrations of the building structure by Tenant's sign contractor required for sign installation shall be neatly sealed and watertight.
- M) All identification labels shall be concealed, except where required by code. An Underwriter's Label is required on all electrical signage.
- N) Sign contractor shall repair any damage caused by their work. Damage to structure that is not repaired by the sign contractor shall become the Tenant's responsibility to correct.
- O) Tenant shall be fully responsible for the operation of their sign contractor, and shall indemnify, defend and hold the Landlord, Landlord's representative, and all parties harmless from damages or liabilities on account thereof.
- P) Sign surfaces that are intended to be flat shall be without oil canning, or other visual deformities.
- Q) All exposed welded seams and joints shall be finished smooth.
- R) The general location of wall signs shall be centered vertically and horizontally on fascias, unless otherwise specified. Signs shall not cover or interrupt major architectural features.

### 1.6 Administration:

- A. The amount of hours per day during which the signs will be illuminated shall

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be determined and controlled at the Landlord's sole discretion.

B. Landlord reserves the right to hire an independent electrical engineer (at Tenant's sole expense) to inspect the installation of all signs, and reserves the right to require that any discrepancies and/or code violations be corrected at Tenant's expense.

C. The sign contractor shall carry workman's compensation and public liability insurance against all damage suffered or performed against any and all persons or property while engaged in the construction or erection of signs in the amount of \$1,000,000 per occurrence.

D. At the expiration, or early termination of Tenant's lease term, Tenant shall be required to remove their signs, cap off the electrical connection, patch the fascia and paint the entire fascia area to match the surrounding areas at Tenant's expense within seven (7) days.

E. Sign contractors shall be advised (by Tenant) that no substitutes will be accepted whatsoever unless so indicated in specification and approved by Landlord and Tenant. Any deviation from these specifications may result in the rejection of the sign by Tenant and/or Landlord.

F. In the event any conflict in the interpretation of these guidelines cannot be satisfactorily resolved, the Landlord's decision shall be final and binding upon the Tenant.

### 1.7 Prohibited Signs:

A. No sign shall be installed, relocated or maintained so as to prevent entry or exit out of any door. No sign shall create a safety hazard by obstructing view of pedestrian and vehicular traffic.

B. No sign shall be located within a required easement, unless an encroachment permit has been authorized by the affected utilities.

C. No sign shall obstruct access to fire hydrants, fire department connections, or fire department access roads.

D. Signs on/ or affixed to trucks, automobiles, trailers or other vehicles which advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise or rendering of services from such

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vehicles are prohibited when such vehicles are located on the Shopping Center.

E. Signs, which audibly advertise, identify or provide direction to a use or activity, are prohibited.

F. It is unlawful for any Tenant to exhibit, post or display or cause to be exhibited, posted or displayed upon any sign, anything of an obscene, indecent, or of immoral nature or unlawful activity.

G. Painted wall signs are prohibited.

H. Cabinet wall signs are prohibited, except for recognized corporate logos, which should be embossed type cabinets wherever allowed by the morphology of the logo.

I. Permanent advertising devices such as attraction boards, posters, banners and flags, except where approved by Landlord, Landlord's representative and the City of Sacramento.

J. Window signs except where approved by Landlord, Landlord's representative and the City of Sacramento.

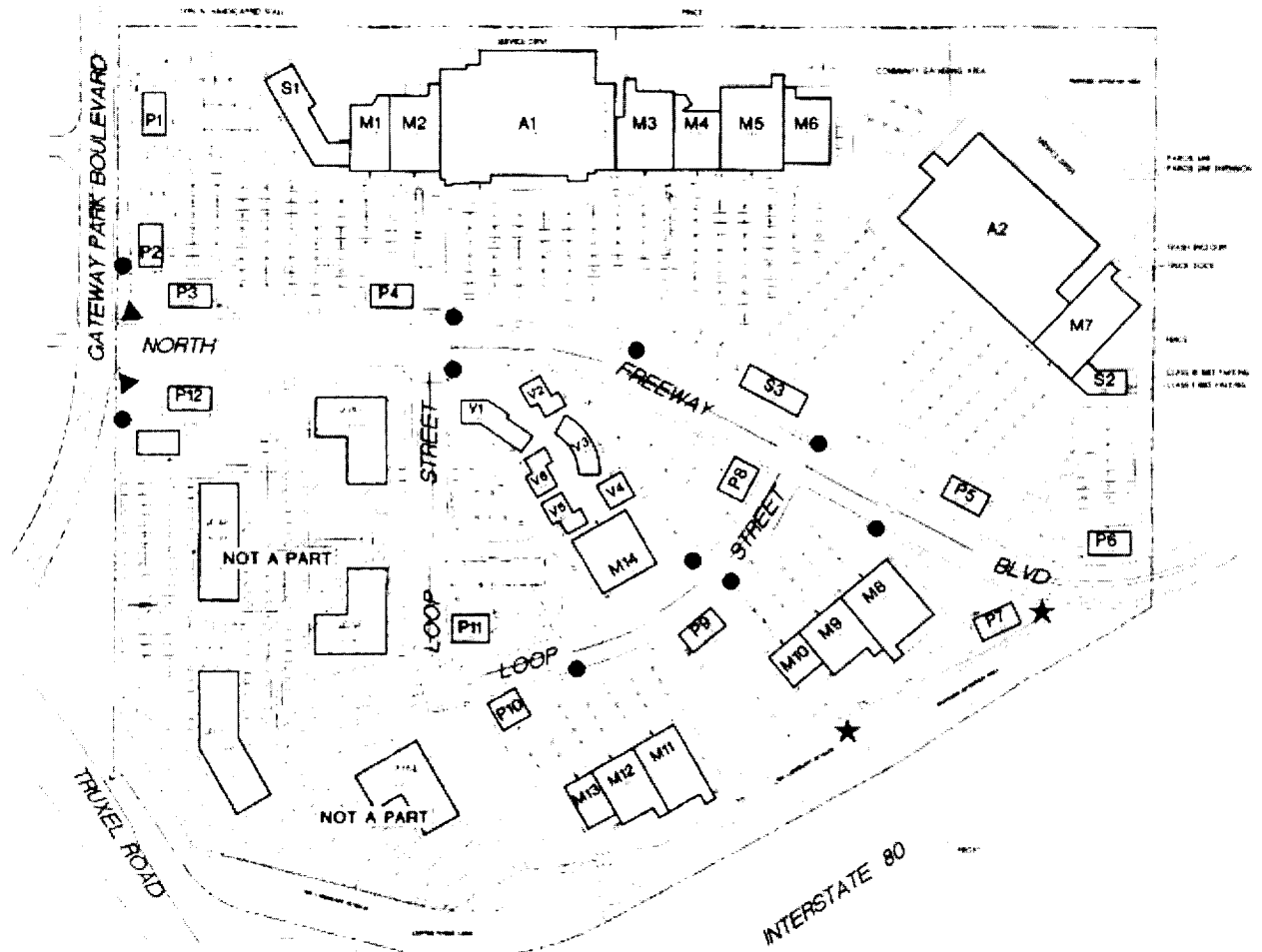
### 1.8 Temporary Signs:

A. Temporary wall signs, leasing signs, window signs, pennants, banners or flags, inflatable displays or sandwich boards will be allowed if consistent with provisions in the City of Sacramento Sign Ordinance.

# EXHIBIT 1 – Promenade at Natomas PUD Guidelines

## 2. Freestanding Signage

### 2.1 Freestanding Signage plan



Sign Type	Description	Qty.	Symbols
A	Freeway Pylon	2	★
B	Entry Monument	2	▲
C	Multi Tenant Monument	11	●

## 2. Freestanding Signage

### 2.2 Freeway Oriented Pylon Sign (Sign Type A)

**Configuration:**

Double sided freestanding structure to match architecture of the center.

**Content:**

Center identification, anchors, majors/minors, pad tenants and food service.

**Location:**

Adjacent to I-80

**Quantity:**

Total of 2 freeway oriented pylon signs

**Size:**

Center identification: 2'-6" height letters

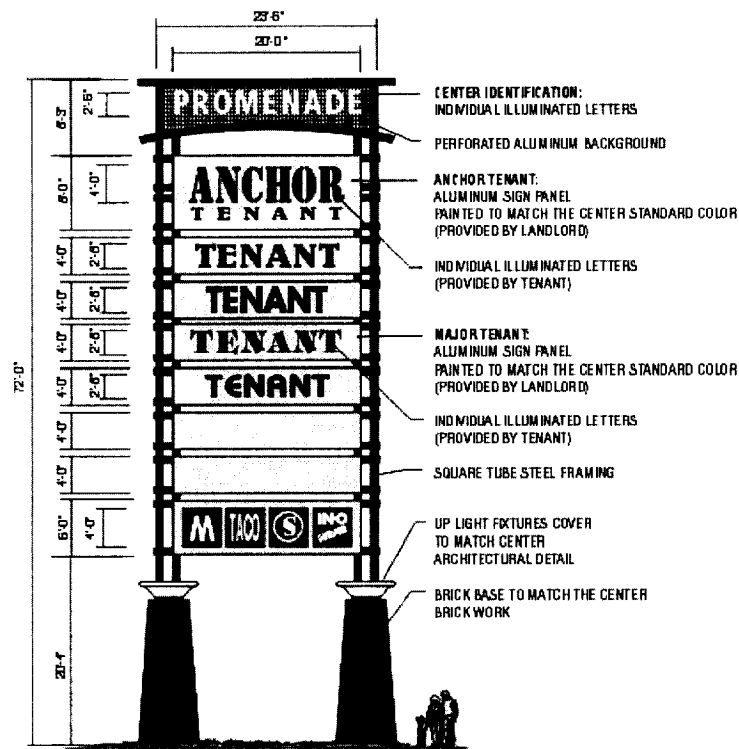
Overall size: 72'-0" H x 23'-6" W

**Individual Tenant Signage:**

Anchor: 4'-0" max. letters.

Major/Minor: 2'-8" max. letters

Pad/Shops 4'-0" x 4'-0" logo





## 2. Freestanding Signage

### 2.3 Center Entry Monument (Sign Type B)

**Configuration:**

Single sided freestanding structure to match architecture of the center.

**Size:**

Center identification: 18" high letters

Overall size: 6'-0" H x 50'-0" W

**Content:**

Center identification.

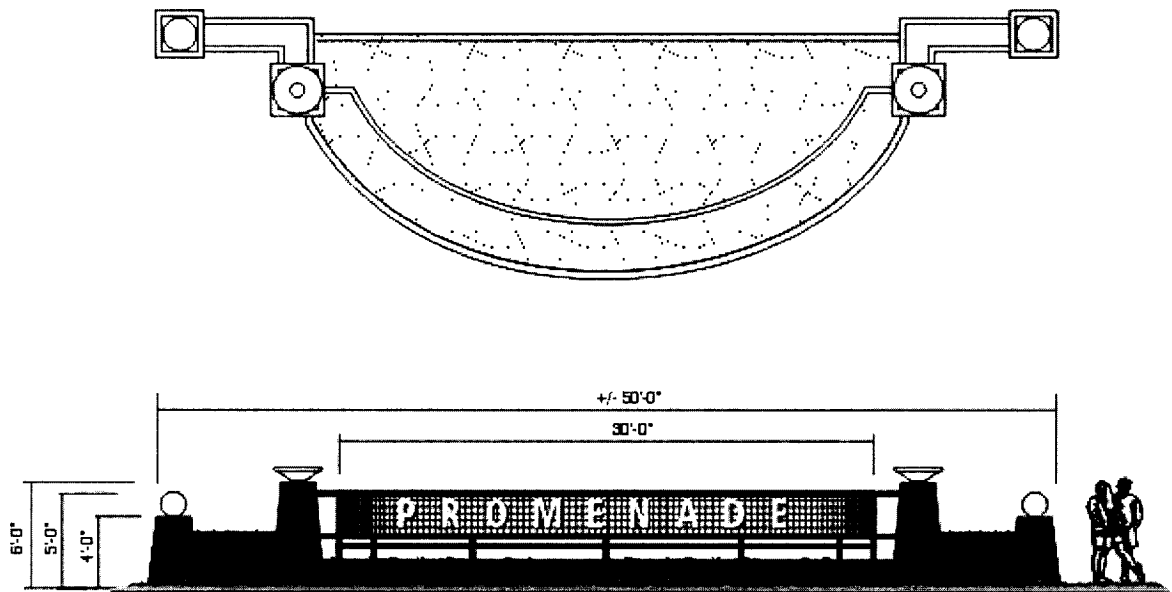
**Illumination:**

Externally illuminated

**Location:**

At the corners of Gateway Blvd. and North Freeway Blvd.

**Quantity:** 2each



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## 2. Freestanding Signage

### 2.4 Multi Tenant Monument (Sign Type C)

**Configuration:**

Double sided freestanding structure to match architecture of the center.

**Content:**

Center identification, anchors, majors, minors and pad tenants.

**Location:**

North Freeway Blvd. & Loop Street.

**Quantity:** 11 each

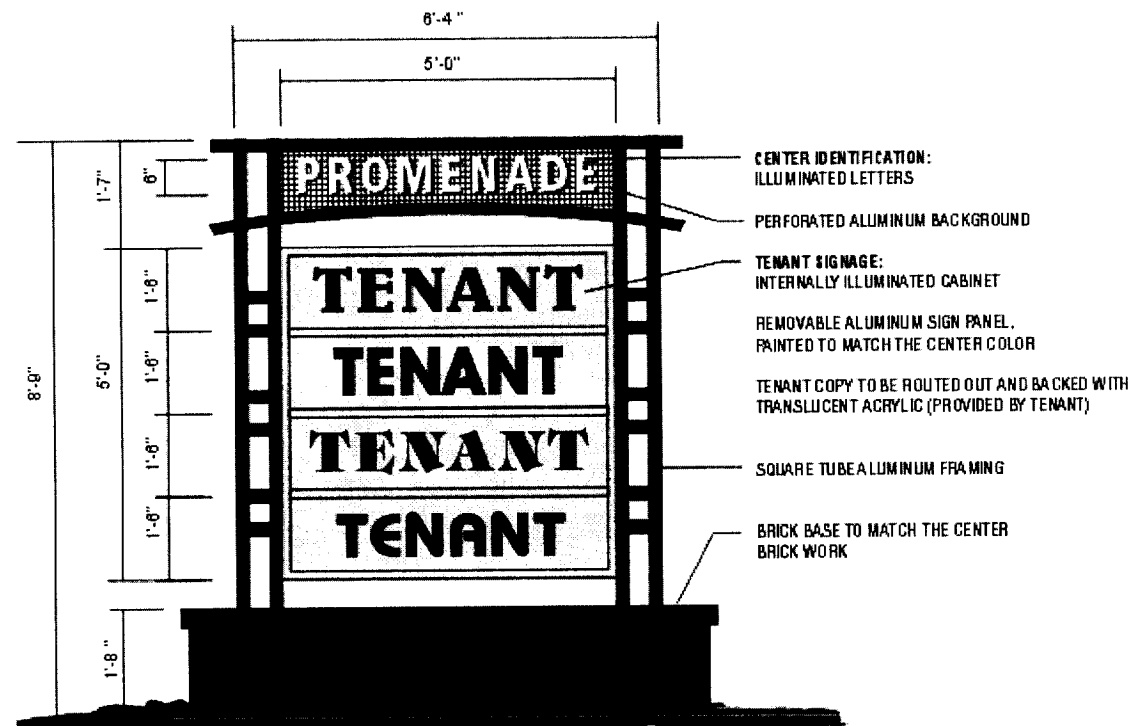
**Size:**

Center identification: 6" height letters

Tenant signage overall: 5'-0" H x 5'-0" W

**Illumination:**

Internally illuminated.



## 2. Freestanding Signage

### 2.5 Directory Signs (Sign Type D)

**Configuration:**

Double sided freestanding structure to match architecture of the center.

**Content:**

Key Map and list of tenants in the center

**Location:**

Key locations, food court area.

**Quantity:**

**Size:**

T.B.D.

Center identification:  
letters

3" high

Directory case:  
2'-6" W

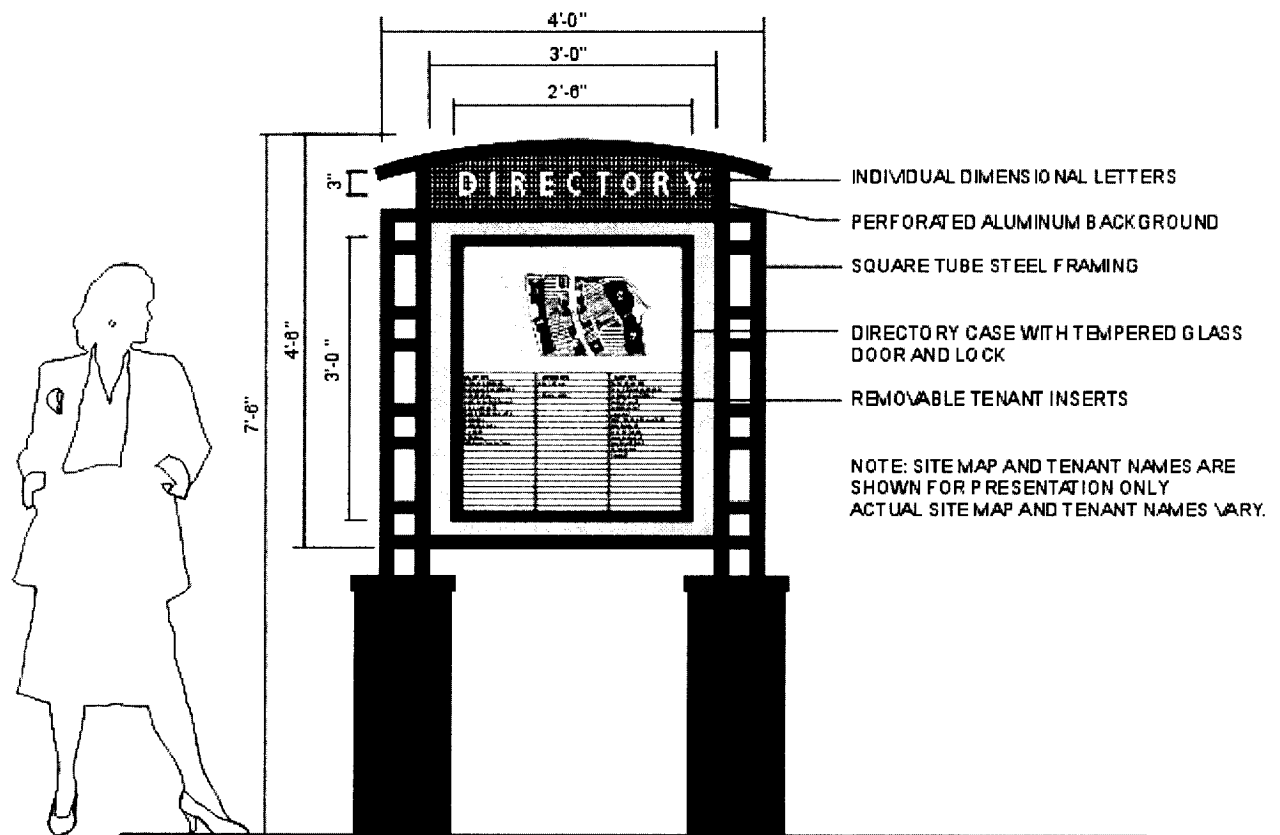
3'-0" H x

Overall size:

7'-6" H x 4'-0" W

**Illumination:**

None.



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## 2. Freestanding Signage

### 2.6 Seasonal Banners (Sign Type E)

**Configuration:**

Full color banners attached to light poles.

**Size:**

Overall size: 8'-0" H x 2'-0" W

**Content:**

Graphic elements.

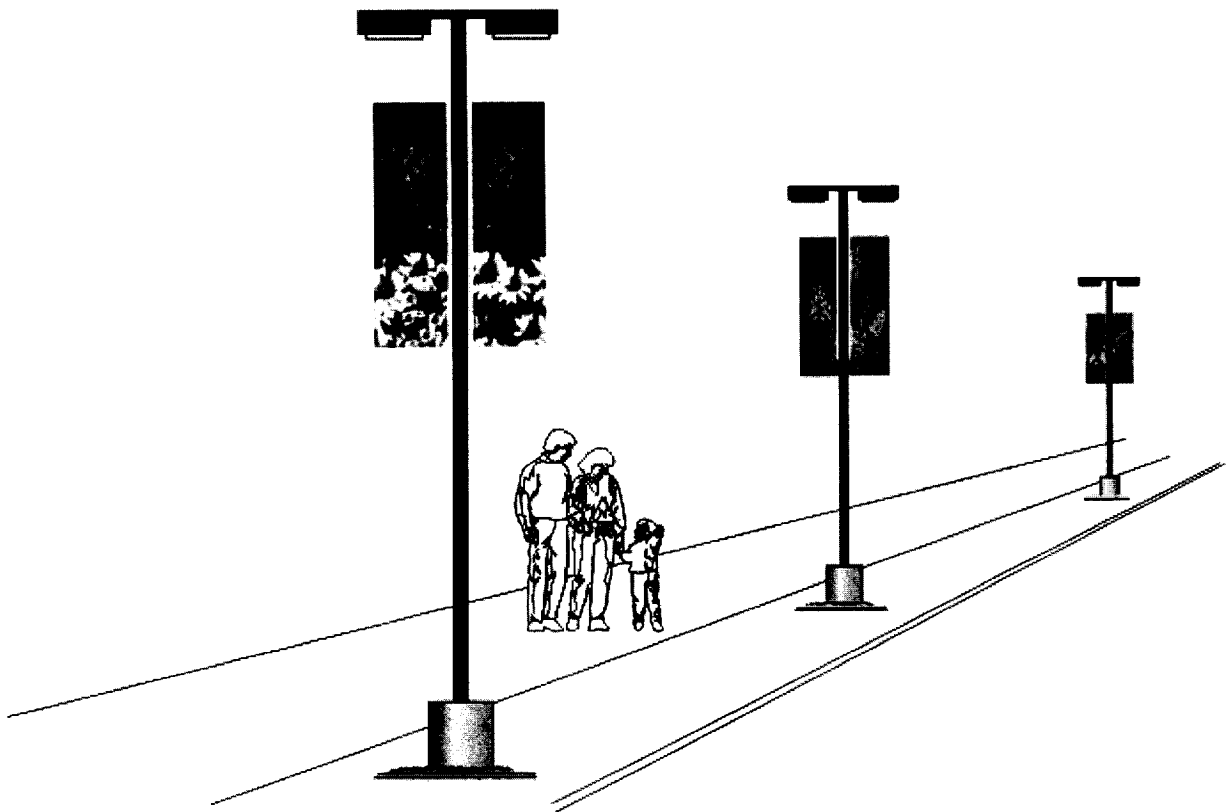
**Illumination:**

Light poles.

**Location:**

North Freeway Blvd.

**Quantity:** TBD



### **3. Wall Signage**

#### **3.1 Tenants Wall Signage General Guideline**

##### **A. Design**

The intent of these guidelines is NOT to be "over-restrictive" nor to achieve a uniform look like the typical strip centers. On the contrary, since signage reflects the unique personality of the store, we strongly encourage tenants to use their allotted signage creatively, with imagination and style. In keeping with this diversity, each tenant may not necessarily be allowed to use the same types of signage as their neighbor. Each store will have a designated set of both allowable and required signage to complement its unique location.

##### **B. Wall Mounted Signs**

1. Individual internally illuminated pan-channel letters with aluminum returns, translucent acrylic faces, trim-caps and internal neon illumination
2. Individual open face channel letters with aluminum returns and exposed neon lighting
3. Individual reverse channel letters with aluminum faces and returns and halo lighting
4. Plain cabinet (box type) signs are not allowed

##### **C. Calculation of Sign Area:**

1. Area of individual letters shall be calculated according to a simple rectilinear figure that contains a word or group of words.
2. Anchor and Major Tenants are allowed to decorate the sign background to match their standard sign program. However the decorative sign background shall not be illuminated and it will be counted toward overall allowable signage.

##### **D. Tenant Copy and Color:**

1. All Tenant signage shall consist solely of the Tenant's trade name, logo and recognizable trademark insignia.
2. Sign copy shall not include products or services except, as it may legally be part of the Tenant's

## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

trade name, logo and recognizable trademark insignia.

3. Sign colors and the entire display including awning(s) shall be approved by (Owner).
4. Colors may conform to the Tenants color scheme. No fluorescent or "day glow" colors permitted.
5. Promenade (Owner) reserves the right to disallow colors to be used that are inconsistent with the building colors and overall theme colors of the shopping center.

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### 3. Wall Signage

#### 3.2 Anchor Tenant (Gross floor area greater than 100,000 square feet)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

Anchor tenants building facades.

**Signage Area:**

Up to a maximum of 1 square feet of signage per lineal frontage of the facade upon which the sign is located and not to exceed maximum sign area as noted.

**Primary Tenant ID Sign:**

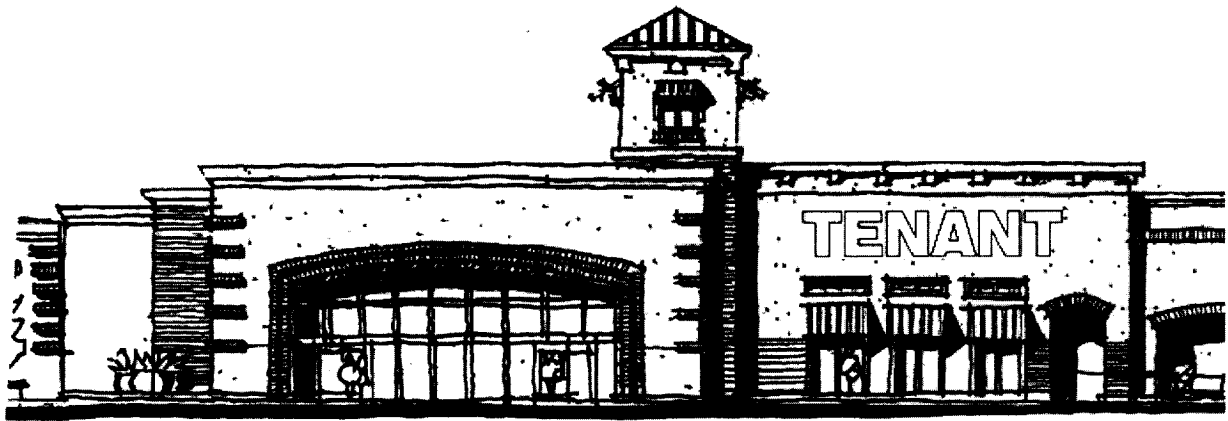
6'-0" max. high letters/logo  
2'-6" max. high letters for subtext  
350 sq. ft. max sign area  
One (1) primary entry sign per tenant

**Secondary Tenant ID Sign:**

5'-0" max. high letters/logo  
2'-0" max. High letters for subtext  
200 sq. ft. max. sign area  
Two (2) secondary tenant ID sign per tenant (one per elevation)

**Secondary Entry Sign Element:**

Anchor Tenants are permitted secondary signage when it forms part of a recognized corporate logo or slogan such as Garden Center, Tire Center, Pharmacy...etc.  
3'-0" max. high letters/logo  
100 sq. ft. max. sign area  
Two (2) secondary entry sign per tenant



### 3. Wall Signage

#### 3.3 Major Tenants (Gross floor area greater than 18,000 square feet)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

Major tenants building facades.

**Signage Area:**

Up to a maximum of 1.25 square feet of signage per lineal frontage of the facade upon which the sign is located and not to exceed maximum sign area as noted.

**Primary Tenant ID Sign:**

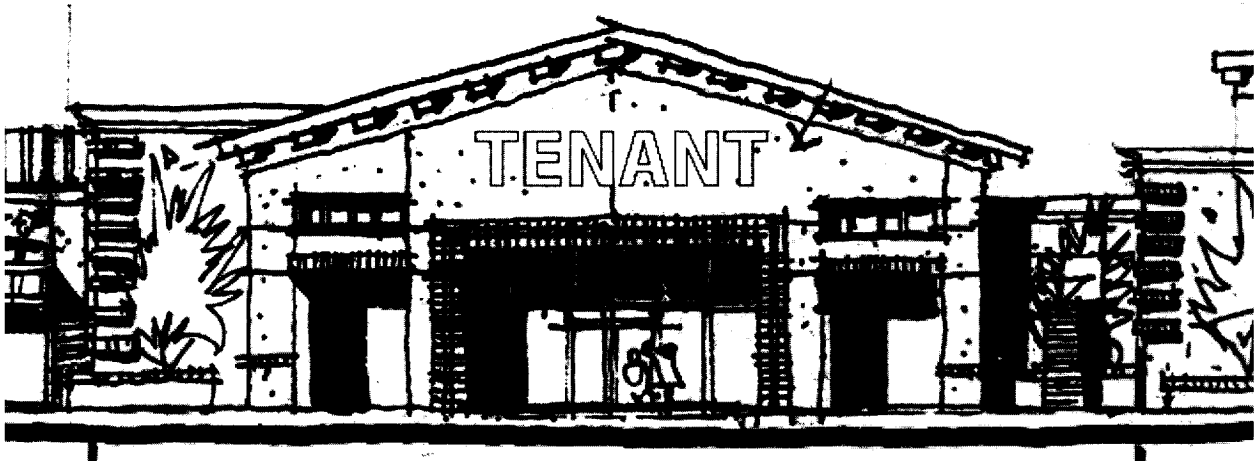
5'-0" max. high letters/logo  
2'-0" max. high letters for subtext  
200 sq. ft. max sign area  
One (1) primary entry sign per tenant

**Secondary Tenant ID Sign:**

4'-0" max. high letters/logo  
1'-6" max. high letters for subtext  
130 sq. ft. max. sign area  
Two (2) secondary tenant ID sign per tenant (one per elevation)  
Note: Major tenants (M8 -M13) are allowed to have a maximum of 5'-0" high letters/logo with a maximum of 200 sq. ft. sign area on rear elevation facing I-80.

**Secondary Entry Sign Element:**

Major Tenants are permitted secondary signage when it forms part of a recognized corporate logo or slogan such as Garden Center, Tire Center, Pharmacy...etc.  
2'-6" max. high letters/logo  
80 sq. ft. max. sign area  
Two (2) secondary entry sign per tenant





### 3. Wall Signage

#### 3.4 Minor Tenants (Gross floor area greater than 9,000 square feet)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant Identification.

**Location:**

Minor tenants building facades.

**Signage Area:**

Up to a maximum of 1.25 square feet of signage per lineal frontage of the facade upon

**Primary Tenant ID Sign:**

Which the sign is located

Primary Tenant ID Sign:

4'-0" max. high letters/logo

One (1) primary entry sign per tenant

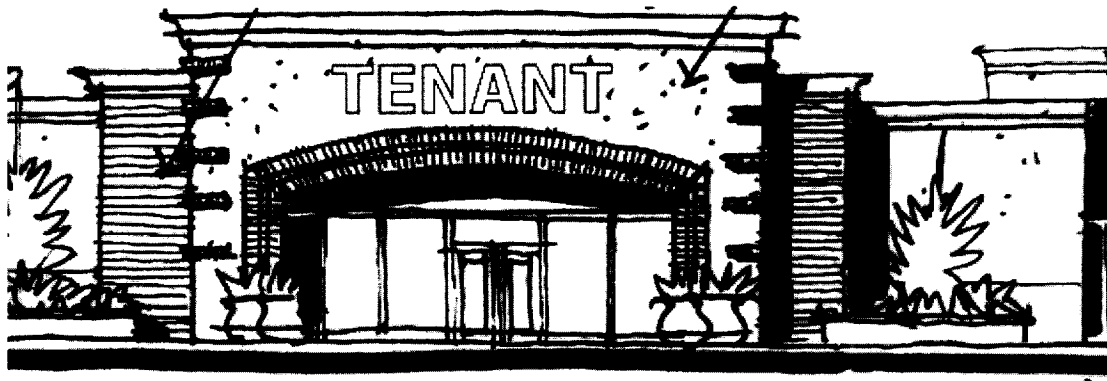
**Secondary Tenant ID Sign:**

3'-6" max. high letters/logo

One (1) secondary tenant ID sign per tenant

**Length of sign:**

Not to exceed 70% of lineal frontage of the facade upon which the sign is located.



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### 3. Wall Signage

#### 3.5 Pad Building (Single Tenant)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

Satellite pad building facades.

**Signage Area:**

Up to a maximum of aggregate of 250 sq. f.t per building.

**Primary Tenant ID Sign:**

3'-0" max. high letters/logo

**Length of sign:**

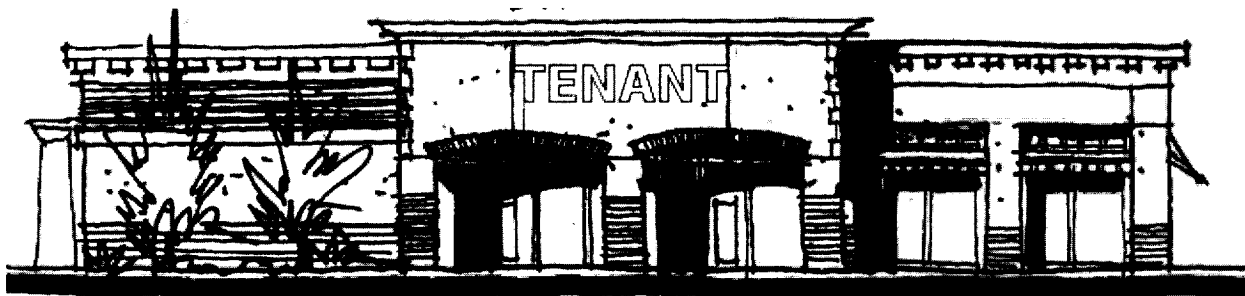
Not to exceed 70% of lineal frontage of the facade upon which the sign is located.

**Quantity:**

Up to 3 signs (1 per elevation)

**Note:**

On-site-auto directional and & internally illuminated menu boards for food service tenants are allowed.



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### 3. Wall Signage

#### 3.6 Pad Building (Multi-Tenants)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

Satellite pad building facades.

**Signage Area:**

Up to a maximum of 1.25 square feet of signage per lineal frontage of the facade upon which the sign is located

**Primary Tenant ID Sign:**

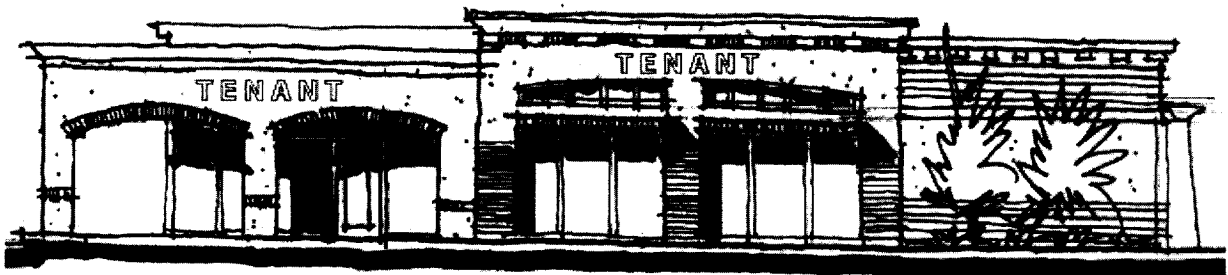
2'-9" max. high letters/logo

**Length of sign:**

Not to exceed 70% of lineal frontage of the tenant facade upon which the sign is located.

**Quantity:**

2 each per tenant (maximum one per elevation)



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## EXHIBIT 1 – Promenade at Natomas PUD Guidelines

### 3. Wall Signage

#### 3.7 In-Line Tenants (Gross floor area less than 3,000 square feet)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

In-Line tenants building facades.

**Signage Area:**

Up to a maximum of 1.25 square feet of signage per lineal frontage of the facade upon which the sign is located

**Primary Tenant ID Sign:**

2'-6" max. high letters/logo

**Length of sign:**

Not to exceed 70% of lineal frontage of the tenant facade upon which the sign is located.

**Quantity:**

2 each per tenant (maximum one per elevation)



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### 3. Wall Signage

#### 3.8 Food Court (Food Service Tenant)

**Configuration:**

Illuminated dimensional letters and/ or logo, mounted to fascia.

**Content:**

Tenant identification.

**Location:**

Food Court tenants building facades.

**Signage Area:**

Up to a maximum of 1.25 square feet of signage per lineal frontage of the facade upon which the sign is located

**Primary Entry Sign Element:**

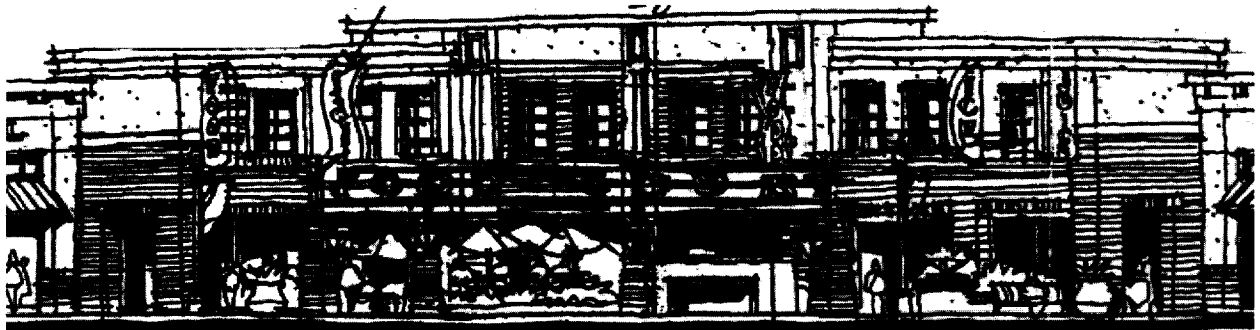
2'-6" max. high letters/logo

**Length of sign:**

Not to exceed 75% of lineal frontage of the tenant facade upon which the sign is located.

**Quantity:**

2 each per tenant (maximum one per elevation)



### 3. Wall Signage

#### 3.9 Food Court ( Balde Mounted Signs)

**Configuration:**

Illuminated or non-illuminated flag mounted signs, mounted to the wall.

**Type:**

Dimensional aluminum blade signs.  
Canvas mounted signs are not allowed.

**Content:**

Tenant identification or graphic element.

**Signage Area:**

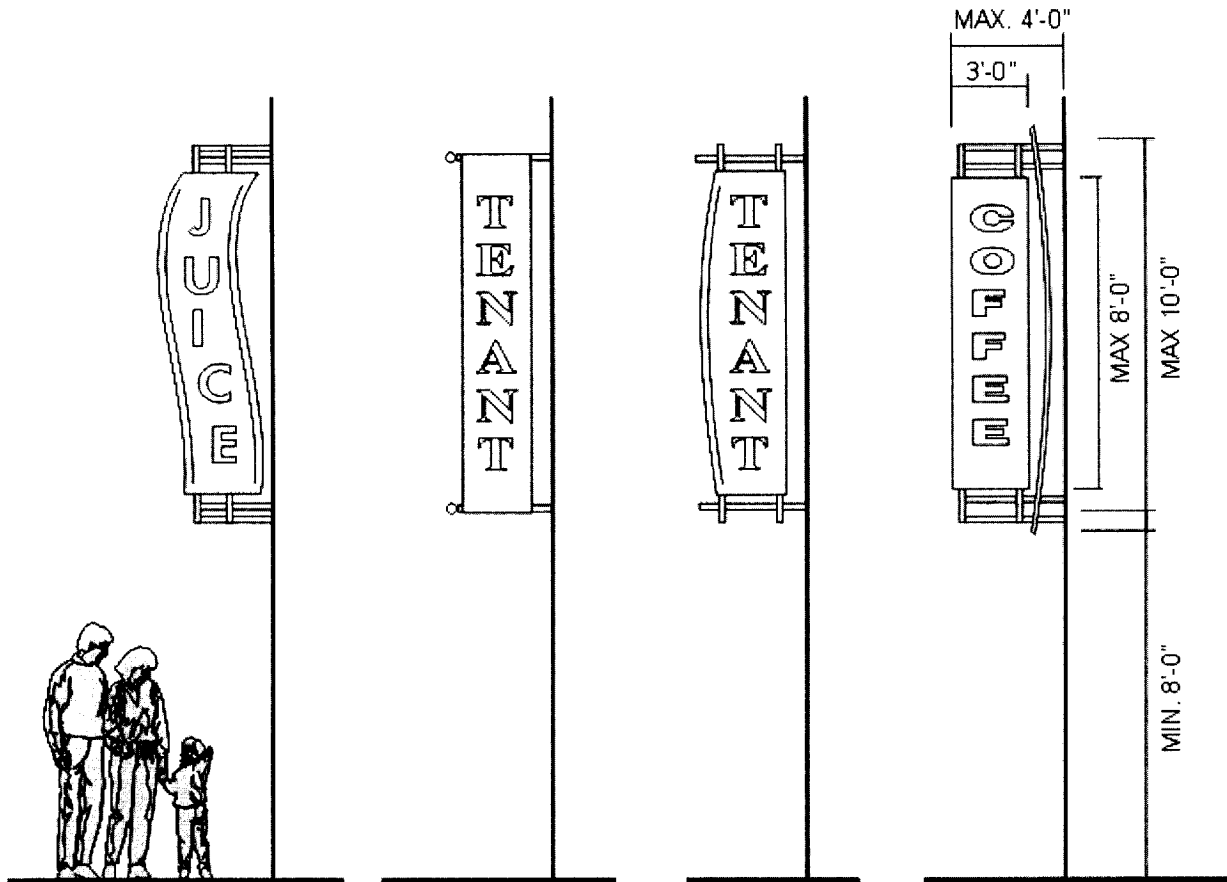
Up to a maximum of 24 square feet

**Sign Size:**

Up to a maximum of 3'-0" x 8'-0"  
Overall 10'-0" max.

**Quantity:**

One (1) each per tenant, corner or end building are allowed one additional sign.



### 3. Wall Signage

#### 3.10 Under Canopy Signs

**Configuration:**

Double sided hanging signs identifying the tenant.

**Type:**

Illuminated or non-illuminated signs

**Content:**

Tenant identification.

**Location:**

Located perpendicular to the storefront under a canopy or similar structure.

**Sign Area:**

Not to exceed 6 sq. ft.

**Length:**

Not exceed 4 ft.

**Height:**

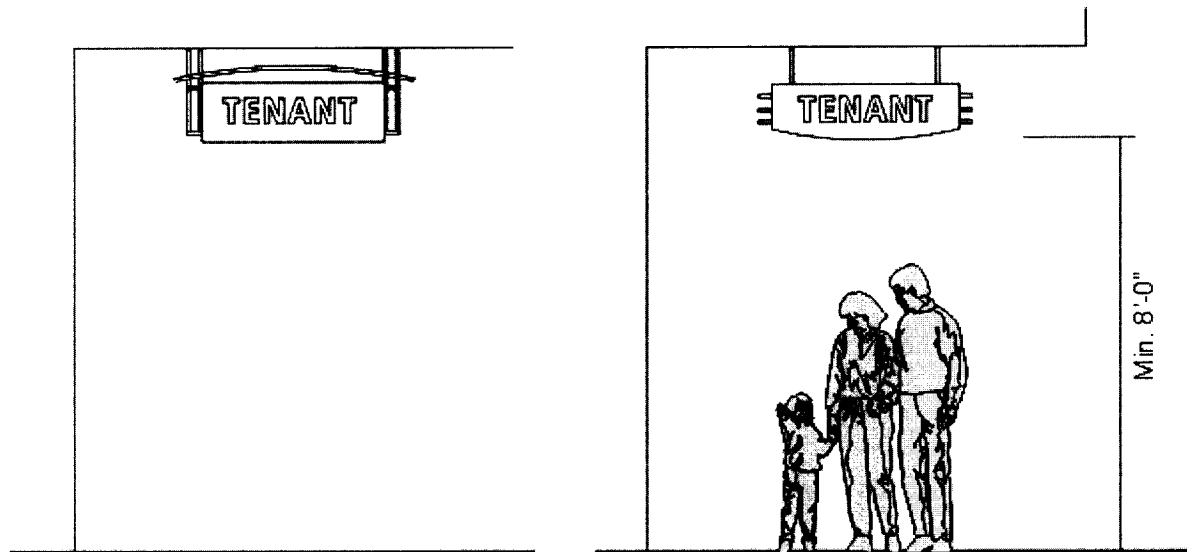
Not to exceed 1.5 ft.

**Quantity:**

1 each per tenant entrance.

**Clearance:**

Minimum of 8 ft. from bottom of sign.



Conceptual under canopy sign

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# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT DENYING THE APPEAL OF THE PROMENADE AT NATOMAS DEVELOPMENT AND APPROVING THE SUBDIVISION OF ONE PARCEL INTO THIRTY THREE PARCELS, APPROVING A SPECIAL PERMIT TO CONSTRUCT 751,000± SQUARE FEET OF BUILDINGS FOR RETAIL USE, INCLUDING A GASOLINE FUELING STATION LOCATED IN THE SHOPPING CENTER PUD (SC PUD) ZONE WITHIN THE PROMENADE AT NATOMAS PUD, AND APPROVING A SPECIAL PERMIT TO CONSTRUCT 14,000± SQUARE FEET OF BUILDINGS FOR RETAIL USE IN THE EMPLOYMENT CENTER 50 PUD (EC-50 PUD) ZONE WITHIN THE PROMENADE AT NATOMAS PUD, LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.

(APN: 225-0160-086)  
(P00-033)

WHEREAS, the City Council conducted a public hearing on August 10, 2004 concerning the above mentioned project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

## NOTICE OF DECISION

At the regular meeting of August 10, 2004, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council took the following actions for the location listed above:

- A. Denied the Appeal and Approved the Tentative Subdivision Map to subdivide one parcel into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on

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28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres;

- B. Denied the Appeal and Approved the Special Permits to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone; and
- C. Denied the Appeal and Approved the Special Permits to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.

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

A. Tentative Map: The Tentative Subdivision Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
2. The proposed subdivision, together with the provision for its design and improvement, is consistent with the City's General Plan, North Natomas Community Plan, the Promenade at Natomas Planned Unit Development, the City's Subdivision Ordinance and the State Subdivision Map Act;
3. The discharge of waste from the proposed subdivision into existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

B&C. Special Permits to construct 765,000± of retail uses: **SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD)

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zone and **SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone are **approved** based on the following findings of fact:

1. The project is based upon sound principles of land use in that:
  - a. the proposed uses are compatible with the non-residential uses surrounding the site and will not adversely affect the peace and general welfare of the surrounding neighborhood; and
  - b. adequate landscaping, parking, and site design is provided.
  - c. the design of the proposed buildings are consistent with the proposed Promenade at Natomas PUD Development Guidelines.
2. The project, as conditioned, will not be detrimental to the public welfare and result in the creation of a public nuisance in that the site and building design will be compatible in the area and adequate landscaping will be provided.
3. The project is consistent with policies in the General Plan and North Natomas Community Plan which, with the proposed land use amendments, designate the site for Regional Commercial and Offices and Regional Commercial, respectively.

#### **CONDITIONS OF APPROVAL**

- A. The Tentative Master Parcel Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres is hereby approved subject to the following conditions of approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P00-033). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.**

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions.

#### **GENERAL: All Projects**

- A1. In accordance with City Code Section 16.24.090(c)(1), approval of this map

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by the Planning Commission is contingent upon approval by the City Council of all required Plan Amendments (if any), Zoning changes, and the Development Agreement. The Final Map may not be recorded unless and until such time as the City Council approves such required Plan Amendments (if any), Zoning changes, and the Development Agreement.

- A2. The applicant shall participate in the North Natomas Financing Plan, adopted by Resolution No. 94-495 on August 9, 1994, and updated by Resolution No. 2002-373 on June 11, 2002, and shall execute any and all agreements, which may be required in order to implement this condition.
- A3. Execute a Development Agreement to the satisfaction of the City of Sacramento, comply with, and meet all the requirements of the Agreement.
- A4. Comply with the North Natomas Development Guidelines and the PUD guidelines approved for this project (P00-033) to the satisfaction of the Planning Director and the Development Engineering and Finance Division.
- A5. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P00-033).
- A6. The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.
- A7. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments, in accordance with the Development Agreement.
- A8. Show existing and proposed/required easements on the Final Map.
- A9. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be:
  - a. Conveyed to parcel(s) 6, 7, 8, 9, and 10, reserved from parcel(s) 11, 12, 13, and 14.
  - b. Conveyed to parcel(s) 17, 18, and 19, reserved from parcel(s) 16, 20, 21, and 22.
  - c. Conveyed to parcel(s) 32, reserved from parcel(s) 26.

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d. Conveyed to parcel(s) 4, reserved from 1, 2, 3, and 5.

At no cost, at the time of sale or other conveyance of either parcel.

- A10. The applicant shall grant an ingress/egress easement to adjacent property on the west, APN 225-0170-043. Said property is adjacent to Truxel Road and Gateway Park Boulevard and the subject site.
- A11. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City.
- A12. Multiple Final Maps may be recorded. Prior to recordation of any Final Map, all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Development Services. Designing, bonding for, and entering into an appropriate subdivision improvement agreement is sufficient for satisfying this condition if deemed appropriate by the Development Engineering and Finance Division.
- A13. Prior to submittal of improvement plans for any phase of this project, the developer's design consultant(s) shall participate in a pre-design conference with City staff. The purpose of this conference is to allow City staff and the design consultants to exchange information on project design requirements and to coordinate the improvement plan review process. Contact the Development Engineering and Finance Division Plan Check Engineer at 808-7493 to schedule the conference. It is strongly recommended that the conference be held as early in the design process as possible.

**DEVELOPMENT ENGINEERING AND FINANCE DIVISION: Streets**

- A14. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the city code and standards adopted in and for the North Natomas Community Plan. Improvements required shall be

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determined by the City. Costs associated with offsite or overwidth improvements may be subject to reimbursement, per the development agreement. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the map shall be designed and constructed to City standards.

- A15. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- A16. Dedicate and construct North Freeway Boulevard between Gateway Park Boulevard and the first leg of Loop Street to a standard 136' foot 6-lane street. Construction will include the landscaping of both median islands and mow strips.
- A17. Dedicate and construct North Freeway Boulevard between the first leg of Loop Street and the second leg of Loop Street to a standard 100' foot 4-lane street. Construction will include the landscaping of both median islands, and mow strips.
- A18. Dedicate and construct North Freeway Boulevard between the second leg of Loop Street and the connection to existing North Freeway Boulevard to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands, and mow strips.
- A19. Dedicate and construct Loop Street to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands, and mow strips.
- A20. Construct/reconstruct Gateway Park Boulevard a non-standard 6-lane facility between Truxel Road and North Freeway Drive to the satisfaction of the Development Engineering and Finance Division. Construction will include the landscaping of the median islands, and mow strips adjacent to Gateway Park Boulevard.

Note: Additional Gateway Park Boulevard improvements will be attached to the Special Permit for this site.

- A21. The applicant shall use best efforts to obtain an easement from the adjacent

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property owner(s) for additional right-of-way along Gateway Park Boulevard if not already dedicated. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicants expense.

- A22. Design and construct a Round About at the southernmost end of Loop Street to the satisfaction of the Development Engineering and Finance Division.
- A23. Multiple access points will be required for all phases of the Final Subdivision Map to the satisfaction of the Fire Department and Development Engineering and Finance Division. Dead end streets must be less than 500' in length and must include a turn-around approved by the Fire Department and Development Engineering and Finance Division. Certain exceptions may be considered by Fire Department and Development Engineering and Finance Division on a case-by-case basis.
- A24. At its discretion, the City may require the inclusion of traffic calming devices along certain streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, bulb outs, chicanes, undulations, etc to the satisfaction of the Department of Transportation.
- A25. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering and Finance Division.
- A26. Developer is required to install permanent street signs to the satisfaction of the Development Engineering and Finance Division.
- A27. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Development Engineering and Finance Division. The centerlines of such streets shall be aligned.
- A28. Provide additional right-of-way for expanded intersections at intersections to be signalized and other locations specified by the Development Engineering and Finance Division.
- A29. Construct traffic signals at the following intersections (if not already in place):

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- a. Gateway Park Boulevard/North Freeway Boulevard.
- b. North Freeway Boulevard/First Leg of Loop Street.
- c. North Freeway Boulevard/Second Leg of Loop Street.

**NOTE:** The Department of Public Works has determined the need for these signals. Signals shall be constructed as part of the public improvements for the Final Map. Signal design and construction shall be to the satisfaction of the Development Engineering and Finance Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services.

- A30. The applicant shall submit a signal design concept report to the Development Engineering and Finance Division for review and approval prior to the submittal of any improvement plans involving traffic signal work
- A31. Provide a 40' wide Irrevocable Offer of Dedication (IOD) or other appropriate mechanism for future light rail track right-of-way to the satisfaction of Regional Transit. Interim uses within the right-of-way should be either limited to existing improvements and/or appropriate landscaping.
- A32. The applicant shall make provisions for bus stops, shelters, etc. to the satisfaction of Regional Transit.
- A33. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering and Finance Division.
- A34. The applicant shall dedicate a 100' easement to the City adjacent to Interstate 80 to serve as a buffer between the freeway and the subject property. In addition to providing a buffer, the easement shall also provide for the storage of water. Said easement shall be maintained by the property owner(s) to the satisfaction of the Departments of Utilities and Development Services.
- A35. Prior to recordation of the Final Map, the applicant shall submit to the City an electronic (i.e. AutoCAD) copy(s) of the Final Map and any associated improvement plans. The electronic copy(s) must be in accordance with the City's Digital Submission Standards and to the satisfaction of the Development Engineering and Finance Division. If the applicant is unable to provide an electronic copy because of a technology limitation then this

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condition may be waived at the discretion of the Development Engineering and Finance Division.

**DEVELOPMENT ENGINEERING AND FINANCE DIVISION: Special Districts**

- A36. Reimbursement costs shall be paid to the City for the Northgate Pumping Plant Assessment District per City Reimbursement Agreement No. 82020 and City Ordinance No. 82073.

**PRIVATE/PUBLIC UTILITIES:**

- A37. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of ways.
- A38. Connection to the public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to on and off-site sewer construction.
- A39. CSD-1 shall require an approved sewer study prior to the approval of final map or submittal of improvement plans for plan check to CSD-1, which ever comes first.
- A40. Each parcel created as development proceeds shall have a separate connection to the public sewer system.
- A41. In order to obtain sewer service, construction of public sewer is expected to be required. Sewer easements may be required. Trunk sewer design and construction may be reimbursed by CSD-1 under the terms of a Reimbursement Agreement. Collector sewer design and construction may qualify for reimbursement under the terms of a Participation Agreement. Prior to initiating design of any sewer facility, contact CSD-1 for details. It will be necessary to schedule a meeting to discuss reimbursement requirements with appropriate CSD-1 staff prior to any design. Failure to strictly comply with the provisions of the CSD-1 Ordinances may jeopardize all sewer reimbursement.
- A42. Sewer easements will be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All sewer easements shall be 20 feet in width and ensure continuous access for installation and maintenance.
- A43. The trunk and collector sewer system for the project will not be accepted for maintenance and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.
- A44. Interim sewer facilities may be required. An off-site lift station may be

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required to direct sewage to the existing trunk sewer on the east side of the East Drainage Canal until the future Upper Northwest Interceptor is completed on the west side of the East Drainage Canal.

- A45. Prior to recordation of the Final Map, Natomas Central Mutual Water Company shall be notified of map processing. Also, all assessments due on the property shall be paid and if the land use is other than agricultural, severance from the company is required. Pursuant to Company by-laws, severance from the Company requires execution of a stock cancellation agreement with Natomas Central Mutual Water Company, and severance fees must be paid.

#### **CITY UTILITIES:**

- A46. Prior to or concurrent with the submittal of improvement plans, a project specific drainage study as described in section 11.7 of the City Design and Procedures Manual shall be approved by the Department of Utilities (DOU). The 10-year and 100-year HGL's developed using the North Natomas Drainage Design & Procedures Manual, dated July 1998 and amendments thereto, shall be shown on the improvement plans. Drain inlets shall be a minimum of 6 inches above the 10-year HGL. Finished floor elevations shall be a minimum of 1.50 above the 100-year HGL and 1.70 feet above the controlling overland release elevation. All drainage lines shall be placed within the asphalt section of public-right-of-ways as per the City's Design and Procedures Manual, unless otherwise approved by the DOU. The drainage study shall identify all existing off-site storm drain runoff which flows through the project and provide private facilities to convey these flows. Sufficient off-site and on-site spot elevation shall be provided in the drainage study to determine the direction of off-site storm drain runoff.
- A47. Prior to or concurrent with the submittal of improvement plans, a project specific water study shall be approved by the DOU.
- A48. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch
- A49. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All water lines shall be placed within the asphalt section of public right-of-ways as per the City's Design and Procedures Manual.

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- A50. Construct water pipes and appurtenances, construct storm drain pipes and appurtenances, and construct sanitary sewer pipes and appurtenances in Gateway Park Boulevard, North Freeway Boulevard and Loop Street. The construction shall be to the satisfaction of the DOU and County Sanitation District 1 (CSD1).
- A51. Construct a 12-inch water line in Gateway Park Boulevard from North Freeway Boulevard to the north boundary of Parcel 3.
- A52. Within Parcel 31, construct a privately owned and privately maintained drainage basin, including landscaping, for water quality treatment and flood control. The construction of the drainage basin, including landscaping, shall be to the satisfaction of the DOU. The exact location and dimensions of Parcel 31 shall be established by the DOU in its sole discretion. If the exact location and dimensions differ from those specified for Parcel 31 on the tentative map, the location and dimensions shall be revised on the final map according to the DOU's determination.
- A53. The applicant shall enter into and record an Agreement for Maintenance of the drainage basin to be constructed on Parcel 31, in a form acceptable to the DOU and the City Attorney, that (1) requires the owner(s) of Parcel 31 to properly maintain and repair the drainage basin including all related drainage facilities and landscaping on Parcel 31, (2) authorizes the DOU to enter Parcel 31 and perform such maintenance or repair if the DOU determines at any time that such maintenance or repair is necessary for the drainage basin to function properly, and (3) requires the owner(s) of Parcel 31 to pay all costs incurred by the DOU to perform such maintenance or repair, and imposes a lien on Parcel 31 if the owner(s) fails to pay such costs.
- A54. Within Parcel 32, construct a storm drainage pump station to the satisfaction of the DOU.
- A55. Execute and deliver to the City, in recordable form, an IOD for conveyance to the City of fee title to Parcel 32, for a City owned and maintained pump station. The exact location and dimensions of Parcel 32 shall be established by the DOU in its sole discretion. If the exact location and dimensions differ from those specified for Parcel 32 on the tentative map, the location and dimensions shall be revised on the final map according to the DOU's determination.
- A56. Within Parcels 26 and 27, dedicate an easement to the City of Sacramento for access to the pump station located on Parcel 32. The easement shall be to the satisfaction of the DOU.

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- A57. Within Parcels 26, 27, 28 and 29 dedicate an exclusive storm drain easement for the proposed 60-inch and 66-inch storm drain lines. The easement shall be to the satisfaction of the DOU. The applicant shall enter into and record a Hold Harmless Agreement, for private improvements installed within the easement, in a form acceptable to the DOU and the City Attorney.
- A58. Within Parcel 31, dedicate exclusive storm drain easements for the proposed 66 and 72-inch storm drain lines. The easement shall be to the satisfaction of the DOU. The applicant shall enter into and record a Hold Harmless Agreement, for private improvements installed within the easement, in a form acceptable to the DOU and the City Attorney.
- A59. Per Sacramento City Code, the City's point of service for water services connected to distribution mains located in public streets is at the edge of the sidewalk adjoining the property served when the sidewalk is continuous with the curb and gutter, and is at the edge of the curb adjoining the property served when the sidewalk is separated from curb and gutter by a planter strip.
- A60. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- A61. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel; however, multiple domestic, commercial taps may be allowed per the DOU's commercial tap policy.
- A62. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- A63. Per Sacramento City Code, section 16.28.100, no final map shall be certified (by the Director of Public Works) until the required improvements have been installed or agreed to be installed in accordance with Chapter 16.48 (Subdivision Improvements).
- A64. Paragraphs (A), (B), (C), (D), (F), (N) and (Q) of Section 16.48.110 of the City Code shall be required for this development. Off-site water, sewer and drainage main extensions may be required.
- A65. Street and gutter flow line elevations shall be designed so that runoff from the development overland releases to the proposed drainage basin.

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- A66. Dedicate all necessary easements, right-of-way, or fee title property on the final map as required to implement the approved drainage, water and sewer studies per each approving agency requirements. Drainage and water easements, right-of-way, or fee title property shall be to the satisfaction of the DOU.
- A67. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- A68. This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- A69. All lots shall be graded so that drainage does not cross property lines or the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each lot/parcel shall convey to the remaining lots/parcels, as needed, private easements for storm drainage and sanitary sewer at no cost at the time of sale or other conveyance of any lot/parcel. A note stating the following shall be placed on the Final Map: **"THE LOTS/PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS #(BOOK \_\_\_\_\_, PAGE \_\_\_\_\_)."**
- A70. Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.
- A71. The applicant must comply with the City of Sacramento's Grading, Erosion

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and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

- A72. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area that is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- A73. Show all existing and proposed easements on the improvement plans.
- A74. Within Parcel 31, dedicate an easement to the City for storage of storm drain runoff. The easement shall be to the satisfaction of the Department of Utilities.

**PPDD: Parks**

- A75. The multi-use trail shall be constructed as specified below and in compliance with the PPDD "Multi-Use Trail Design Guidelines" available by contacting PPDD. The applicant must coordinate the design with PPDD prior to submitting plans for PPDD approval.
- A76. The applicant shall provide an easement for the off-street multi-use trail to the satisfaction of PPDD. The trail will be a total of 16' wide including 12' of asphalt pavement with a 2' wide decomposed granite shoulder on each side.
- a. Trails shall be 3" asphaltic concrete over 6" min of Aggregate base, with a center line stripe, refer to PPDD Trail detail and specification.
  - b. Fold-Down Bollards shall be placed at the entrance to all access points to the trail, refer to PPDD Fold-down bollard detail and specification.

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- c. Wherever possible and as approved by PPDD and the Department of Utilities, multi-use trails shall be designed as joint-use with utility service roads utilizing the service roads aggregate base as the trail's aggregate base course.
- d. Where multi-use trail is located adjacent to any embankment with a greater than 4:1 slope, the Applicant shall, at his expense, install a post-and-cable fence along the top of the embankment, between embankment and multi-use trail.

**MISCELLANEOUS:**

- A77. City standard ornamental street lights (acorn style or alternate decorative style approved by the Planning and Electrical Divisions) shall be designed and constructed by the applicant in accordance with Electrical Division requirements.

**ADVISORY NOTES:**

- A78. The following advisory notes are informational in nature and are not a requirement of this Tentative Map:
- A79. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).
- A80. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.
- A81. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

B&C. Special Permits to construct 765,000± of retail uses: **SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station

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on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone and **SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone are hereby approved subject to the following conditions of approval:

**Planning:**

- B&C1. Obtain all necessary building permits prior to construction.
- B&C2. Development of this site shall be in compliance with the attached site plan and landscape exhibits (Exhibits 1 thru 17) and conform to the PUD Design Guidelines.
- B&C3. Any modification to the project shall be subject to review and approval by Planning staff prior to the issuance of building permits. Any significant modification to the project may require subsequent entitlements.
- B&C4. Comply with all applicable conditions of the Promenade at Natomas Planned Unit Development.
- B&C5. Mitigation Monitoring Plan: The developer shall comply with all requirements included in the Mitigation Monitoring Plan (Exhibit 1A).
- B&C6. The trash enclosure shall meet all requirements of the Sacramento City Code, Chapter 17.72 (Recycling and Solid Waste Disposal Regulations), including statement of recycling information requirements, recycling volume requirements, perimeter landscaping, masonry walls, and a solid metal gate.
- B&C7. The proposal is required to meet the Sacramento City Code regulations, regarding bicycle parking (Section 17.64.040). Bicycle parking shall be located in a secure area located in close proximity to doors and windows.
- B&C8. The proposal is required to meet the Sacramento City Code regulation, regarding tree shading (Chapter 17.68).
- B&C9. The applicant shall submit final building elevations and a color palette for the project to be reviewed and approved by the Planning Director prior to the issuance of building permits.
- B&C10. The applicant shall submit a sign application identifying all signage for the site including but not limited to corner monument signs, entry signs, building identification and address signs, trash enclosure signs, and

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directional signage prior to the issuance of any sign permits. The sign program shall be reviewed by both Planning and Building divisions for conformance and compatibility with the project. All signage shall comply with the Promenade at Natomas PUD guidelines. When the guidelines are silent, signage is required to comply with the City of Sacramento's Sign Ordinance.

- B&C11. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"); the lowest tree branch height shall be at least six feet (6'). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- B&C12. Lighting
- a. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists, adjacent residents, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
- b. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of 0.25 foot-candles of illumination shall be provided at the surface of any walkway, alcove, or passageway related to the building project during the same hours.
- B&C13. The height of pole mounted light fixtures shall be no more than 35 feet.
- B&C14. Prior to issuance of a Building Permit the applicant will submit a Transportation Management Plan for review and approval by the City's Alternate Modes Coordinator and Planning Director.
- B&C15. Any tenant utilizing shopping carts will be required to comply with Chapter 5.82 of the Sacramento City Code relating to shopping carts (enacted by Ordinance Number 2002-039).
- B&C16. Loading Docks: Each loading dock area shall be screened with a minimum eight (8) foot masonry wall.

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- B&C17. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.

## **Development Services**

### **Development Engineering and Finance Division**

The applicant shall satisfy each of the following conditions prior to the issuance of any building permit unless a different time for compliance is specifically stated in these conditions. If multiple building permits are anticipated, the Development Services Department will determine the needed improvements for each building permit.

- B&C18. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P00-033).
- B&C19. Comply with the North Natomas Development Guidelines and the PUD guidelines approved for this project (P00-033) to the satisfaction of the Planning Director and the Development Services Department.
- B&C20. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the city code and standards adopted in and for the North Natomas Community Plan. Improvements required shall be determined by the City. Costs associated with offsite or overwidth improvements may be subject to reimbursement, per the development agreement. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the map shall be designed and constructed to City standards.
- B&C21. Dedicate and construct North Freeway Boulevard between Gateway Park Boulevard and the first leg of Loop Street to a standard 136' foot 6-lane street. Construction will include the landscaping of both median islands and mow strips.
- B&C22. Dedicate and construct North Freeway Boulevard between the first leg of Loop Street and the second leg of Loop Street to a standard 100' foot 4-lane street. Construction will include the landscaping of both median islands and mow strips.
- B&C23. Dedicate and construct North Freeway Boulevard between the second leg of Loop Street and the connection to existing North Freeway Boulevard to a standard 70' foot 2+ street. Construction will include the

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landscaping of both median islands and mow strips.

- B&C24. Dedicate and construct Loop Street to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands and mow strips.
- B&C25. Construct/reconstruct Gateway Park Boulevard a non-standard 6-lane facility between Truxel Road and North Freeway Drive to the satisfaction of the Development Engineering and Finance Division. Construction will include the landscaping of the Median Island and mow strips adjacent to Gateway Park Boulevard.
- B&C26. Construct Gateway Park Boulevard to a standard 4-lane facility between North Freeway Drive and North Market Drive to the satisfaction of the Development Engineering and Finance Division. Improvements shall include the landscaping of the Median Island and mow strips adjacent to Gateway Park Boulevard.
- B&C27. Design and construct a Round a Bout at the southernmost end of Loop Street to the satisfaction of the Development Engineering and Finance Division.
- B&C28. Construct traffic signals at the following intersections to the satisfaction of the Development Engineering and Finance Division (if not already in place):
- a. Del Paso Road/Northgate Boulevard
  - b. North Freeway Boulevard/North Market Drive
  - c. Gateway Park Boulevard/National Drive (underground facilities only)

**NOTE:** The Development Engineering and Finance Division has determined the need for signals at these locations. Signals shall be constructed as part of the public improvements for the Special Permit. Signal design and construction shall be to the satisfaction of the Development Engineering and Finance Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of the Department of Transportation.

- B&C29. The applicant shall submit a signal design concept report to the Development Engineering and Finance Division for review and approval prior to the submittal of any improvement plans involving traffic signal

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work.

- B&C30. In general, all new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division. Any exceptions are at the discretion of the Development Engineering and Finance Division.
- B&C31. All driveways on Gateway Park Boulevard shall be right in right out only (i.e. no median breaks) and require standard right turn pockets.
- B&C32. The minimum throat distance for site driveways shall be as follows (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc):
- a. Driveways on Gateway Park Boulevard shall have a minimum throat depth of 120'.
  - b. Driveways on the loop street shall have a minimum throat depth of 60'.
  - c. Driveways on the 6-lane section of North Freeway Drive shall have a minimum throat depth of 160'.
  - d. Driveways on the four lane section of North Freeway Boulevard shall have a minimum throat depth of 100'.
  - e. Driveways on the 2+ section of North Freeway Boulevard shall have a minimum throat depth of 60'.
- B&C33. Provide additional right-of-way for expanded intersections, if required, at locations specified by and to the satisfaction of The Development Engineering and Finance Division.
- B&C34. The site plan shall conform to A.D.A. requirements in all respects
- B&C35. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits.
- B&C36. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- B&C37. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow

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sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering and Finance Division.

B&C38. Prior to occupancy of any building on-site, install traffic signal loop-detectors on the westbound I-80 off-ramp at Northgate Boulevard for the purpose of over-riding the traffic signal at the intersection of the ramp with Northgate Boulevard. Installation shall be to the satisfaction of Caltrans and the City.

B&C39. Prior to issuance of any building permit for the site, applicant shall enter into an agreement to pay a fair-share contribution for freeway improvements identified in the traffic analysis included in the RDEIR (dated December 2003) for the project. The necessary improvements are widening the westbound I-80 off-ramp. Fair-share payment shall be based on:

- a. Length of the widening shall be limited to 1300 feet; and
- b. An engineer's estimate based on preliminary construction documents to be obtained from Caltrans; and
- c. The project's peak hour volume on the ramp less the peak hour volume expected for the approved community plan land uses, divided by the projected year 2025 peak hour ramp volume.

If Caltrans does not provide preliminary construction documents or cost estimate within one year of City Council approval of the proposed project, the condition shall be deemed satisfied. If those documents are provided prior to issuance of the building permit, applicant shall pay the fair-share amount before the building permit is issued and the condition shall be considered satisfied.

B&C40. Prior to Issuance of any Building Permit, the applicant shall submit to the City an electronic (i.e. AutoCAD) copy(s) of the associated improvement plans. The electronic copy(s) must be in accordance with the City's Digital Submission Standards and to the satisfaction of the Development Engineering and Finance Division. If the applicant is unable to provide an electronic copy because of a technology limitation then this condition may be waived at the discretion of the Development Engineering and Finance Division.

#### **General Services - Solid Waste:**

B&C41. The applicant is required to provide a site plan that includes the locations,

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sizes of enclosures, types of dumpsters/receptacles, and the access and security measures planned for the enclosures to the Solid Waste Division. The applicant must show the capacity and location of recycling/trash enclosures to demonstrate that sufficient capacity exists for recycling and solid waste disposal.

- B&C42. The applicant is required to describe the flow of recyclable materials through the building and to identify the recyclable commodities that will be diverted from the waste stream of this proposed development. The applicant should plan to divert cardboard, mixed paper, and beverage containers.
- B&C43. The applicant should provide a education/public relations program instructing users of the development about the benefits of recycling and how to recycle.
- B&C44. The applicant is instructed to divert construction waste during the construction phase of the project. The applicant should target cardboard, wood waste, scrap metal, and dry wall for recovery.

**Transportation - Technical Services - Electrical Section:**

- B&C45. This project shall require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functionally during construction.

**Building**

- B&C46. Private underground utilities (Water, Sewer, Electrical, etc.) shall not cross property lines. Private utilities shall be provided.
- B&C47. Provide a building code area analysis for Buildings A1, A2, with Garden Center.
- B&C48. Handicap parking shall comply with UBC Section 1129B.
- B&C49. From the water flow test obtained from Utilities, a fire flow shall be calculated for this site. Once the fire flow is determined the building allowable area could be determine from the Uniform Fire and Building Codes. With the fire flow the number of fire hydrant can be determined.
- B&C50. Fire hydrants shall be provided at a maximum spacing 300 feet, and along fire truck access roads noted in two above.
- B&C51. Fire department connection to the fire sprinkler shall be provided. Check

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with the Fire Department for acceptable locations.

- B&C52. Per UBC Section 503.1 building shall adjoin or have access to a public way, or provide ingress egress easements.
- B&C53. A water flow test shall be obtained from Utilities and the fire flow calculated. With the fire flow calculated the applicant shall determine if the proposed building area and construction type complies with the Fire Code. If not the building area shall be reduced or a change in construction type will be need.

**Utilities:**

- B&C54. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel; however, multiple domestic, commercial taps may be allowed per the Department of Utilities (DOU) commercial tap policy.
- B&C55. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- B&C56. Multiple fire services are allowed per parcel and may be required.
- B&C57. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- B&C58. All on-site water, storm drain and sanitary sewer facilities shall be private systems.
- B&C59. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- B&C60. This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of

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DATE ADOPTED: \_\_\_\_\_

Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

- B&C61. The lot shall be graded so that drainage does not cross property lines or the applicant shall enter into and record an Agreement for Conveyance of Easements with the City as noted in the following condition.
- B&C62. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each lot/parcel shall convey to the remaining lots/parcels, as needed, private easements for storm drainage, sanitary sewer and water, at no cost at the time of sale or other conveyance of any lot/parcel.
- B&C63. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. The storm drain service taps shall drain onsite shed areas which are in general conformance with the approved master drainage study. An on-site drainage study and shed map is required. This study and shed map shall be approved by the Department of Utilities. The onsite system shall be designed so the 10-year HGL is a minimum of 6-inches below the onsite drain inlets. The 10-year HGL shall be determined using the Sacramento Charts for Zone 2. Finished floor elevations shall be a minimum of 1.50 above the 100-year HGL and 1.70 feet above the controlling overland release elevation. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). The drainage study shall identify all existing off-site storm drain runoff which flows through the project and provide private facilities to convey these flows. Sufficient off-site and on-site spot elevation shall be provided in the drainage study to determine the direction of off-site storm drain runoff.
- B&C64. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

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DATE ADOPTED: \_\_\_\_\_



- B&C65. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- B&C66. The proposed development is located within County Sanitation District No.1 (CSD1). The applicant shall comply with all CSD1 requirements.
- B&C67. Show all existing easements on the site plan.
- B&C68. Post construction, stormwater quality control measures shall be incorporated into the fueling area to minimize the increase of urban runoff pollution and non-stormwater discharges. These measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans shall include source control measures per section 3, Commercial/Industrial Vehicle and Equipment Fueling, of the latest edition of the "Guidance Manual for On-Site Stormwater Quality Control Measures".

**Fire Department:**

- B&C69. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- B&C70. Provide adequate fire flow and hydrants.
- B&C71. Provide Knox box for each building.
- B&C72. Driveways less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; driveways less than 36 feet in width shall be marked on one side.
- B&C73. Provide adequate turning radii for apparatus (35' inside and 55' outside).

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DATE ADOPTED: \_\_\_\_\_

- B&C74. Provide adequate Fire Department turnaround (cul-de-sac or hammerhead standard).
- B&C75. Fire sprinkler mains shall not cross property lines, unless a reciprocal easement agreement is provided.

**Advisory Notes:**

**General Services - Solid Waste:**

- B&C76. The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.
- B&C77. Businesses that choose private sector service should ask about recycling opportunities that company offers. Recycling should still be cheaper than disposal.
- B&C78. Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.

**Utilities:**

- B&C79. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression system.

**County Sanitation District 1:**

- B&C80. The existing 18" diameter trunk sewer adjacent to the property along the north boundary is capacity constrained. The trunk sewer to be constructed is the portion of the Natomas Central Trunk Shed Project NNL line from Interstate 80 north to the north project boundary and then west to the future Upper Northwest Interceptor. This NNL line is depicted on CSD-1 Trunk Shed Plans. Alternative within the subject property may be considered. A portion of the capacity to be provided in the new trunk sewer will be used to relieve existing capacity constraints south of Interstate 80.
- B&C81. Existing Sacramento Regional County Sanitation District (SRCSD)

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RESOLUTION NO.:\_\_\_\_\_

DATE ADOPTED:\_\_\_\_\_

facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.

- B&C82. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

**Sacramento Metropolitan Air Quality Management District:**

- B&C83. Any project that includes the installation of equipment capable of releasing emissions to the atmosphere may require permit(s) from the Sacramento Metropolitan Air Quality Management District (District) prior to operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a District permit include dry cleaners, gasoline stations, spray booths, and operations that generate gaseous and/or airborne particulate emissions. For further information about permit requirements, contact the District offices by calling (916) 874-4800.
- B&C84. The requirements of District Rule 403 – Fugitive Dust will apply to any grading operations for this development. For additional information regarding this rule, the applicant may wish to contact the District main office at 874-4800.
- B&C85. For the gas station that is being proposed, the requirements of District Rules 448 – Gasoline Transfer into Stationary Storage Containers; 449 – Transfer of Gasoline into Vehicle Storage Tanks; and 457 – Methanol Compatible Tanks, will apply.

**Planning Commission**

- B&C86. Prior to issuance of a building permit, the applicant shall provide the Sacramento Metropolitan Air Quality Management District adequate space for an air quality monitoring station if deemed necessary by the

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DATE ADOPTED: \_\_\_\_\_

District.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT THE NOTICE OF DECISION AND FINDINGS OF FACT, SUBJECT TO THE CONDITIONS OF APPROVAL, ALL AS STATED HEREIN BE APPROVED AND ADOPTED

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

P00-033

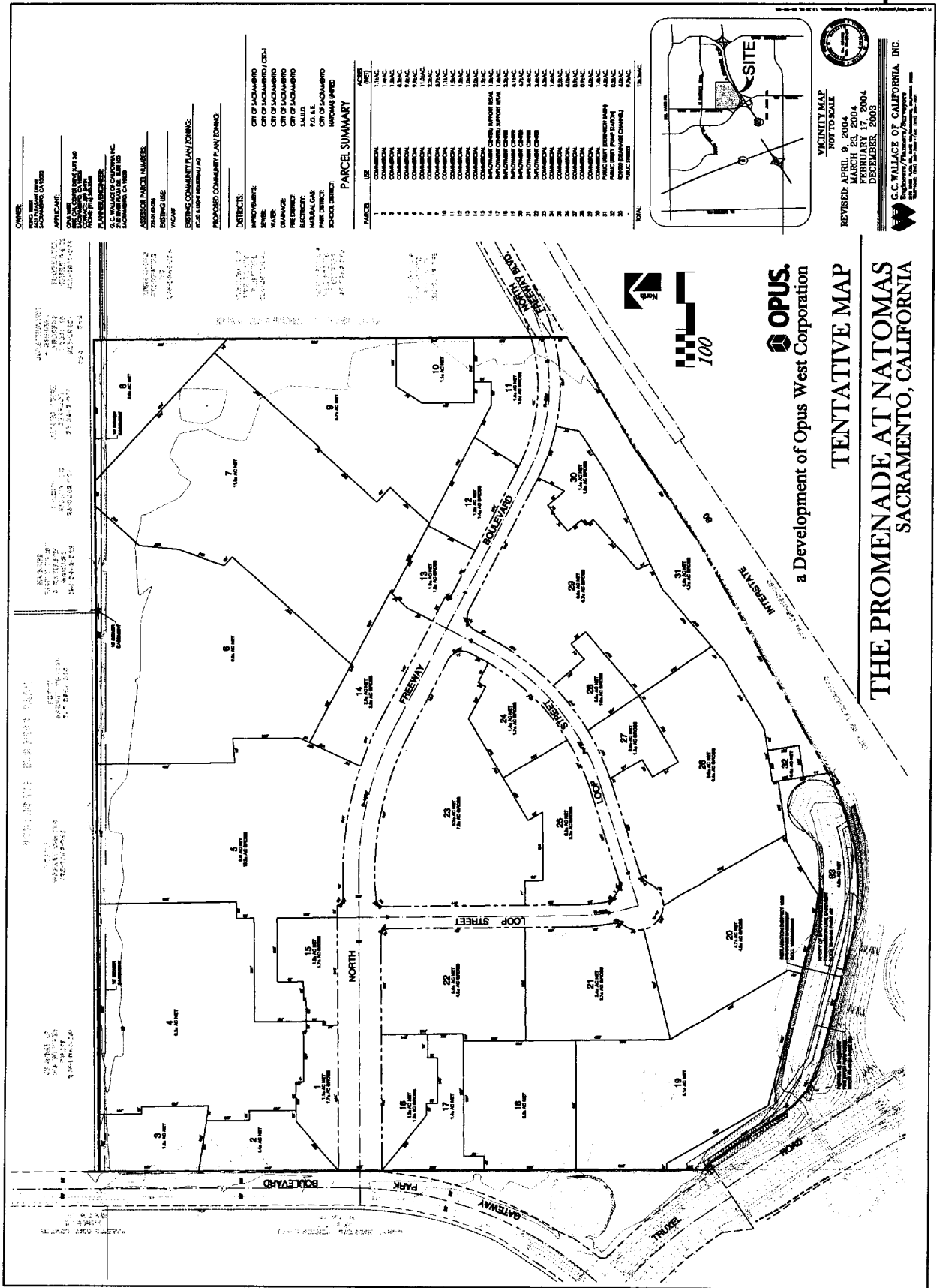
Exhibit 1	Tentative Subdivision Map
Exhibit 2	Special Permits - Overall Site Plan (Sheet S1)
Exhibit 3	Special Permits - Expanded Site Plan – Area A1 (Sheet A1)
Exhibit 4	Special Permits - Expanded Site Plan – Area A2 (Sheet A2)
Exhibit 5	Special Permits - Expanded Site Plan – Area A3 (Sheet A3)
Exhibit 6	Special Permits - Expanded Site Plan – Area A4 (Sheet A4)
Exhibit 7	Special Permits - Expanded Site Plan – Area A5 (Sheet A5)
Exhibit 8	Special Permits - Pedestrian Circulation Plan (Sheet A6)
Exhibit 9	Special Permits - Typical Elevations for Area A1 (Sheet E1)
Exhibit 10	Special Permits - Typical Elevations for Area A2 (Sheet E2)
Exhibit 11	Special Permits - Typical Elevations for Area A3 (Sheet E3)
Exhibit 12	Special Permits - Typical Elevations for Area A4 (Sheet E4)
Exhibit 13	Special Permits - Overall Landscape Plan (Sheet L1)
Exhibit 14	Special Permits - Expanded Landscape Plan – Area A1 (Sheet L2)
Exhibit 15	Special Permits - Expanded Landscape Plan – Area A2 (Sheet L3)
Exhibit 16	Special Permits - Expanded Landscape Plan – Area A3 (Sheet L4)
Exhibit 17	Special Permits - Expanded Landscape Plan – Area A4 (Sheet L5)
Exhibit 18	Special Permits - Expanded Landscape Plan – Area A5 (Sheet L6)

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*FOR CITY CLERK USE ONLY*

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## **Exhibit 1      Tentative Subdivision Map**

**FOR CITY CLERK USE ONLY**

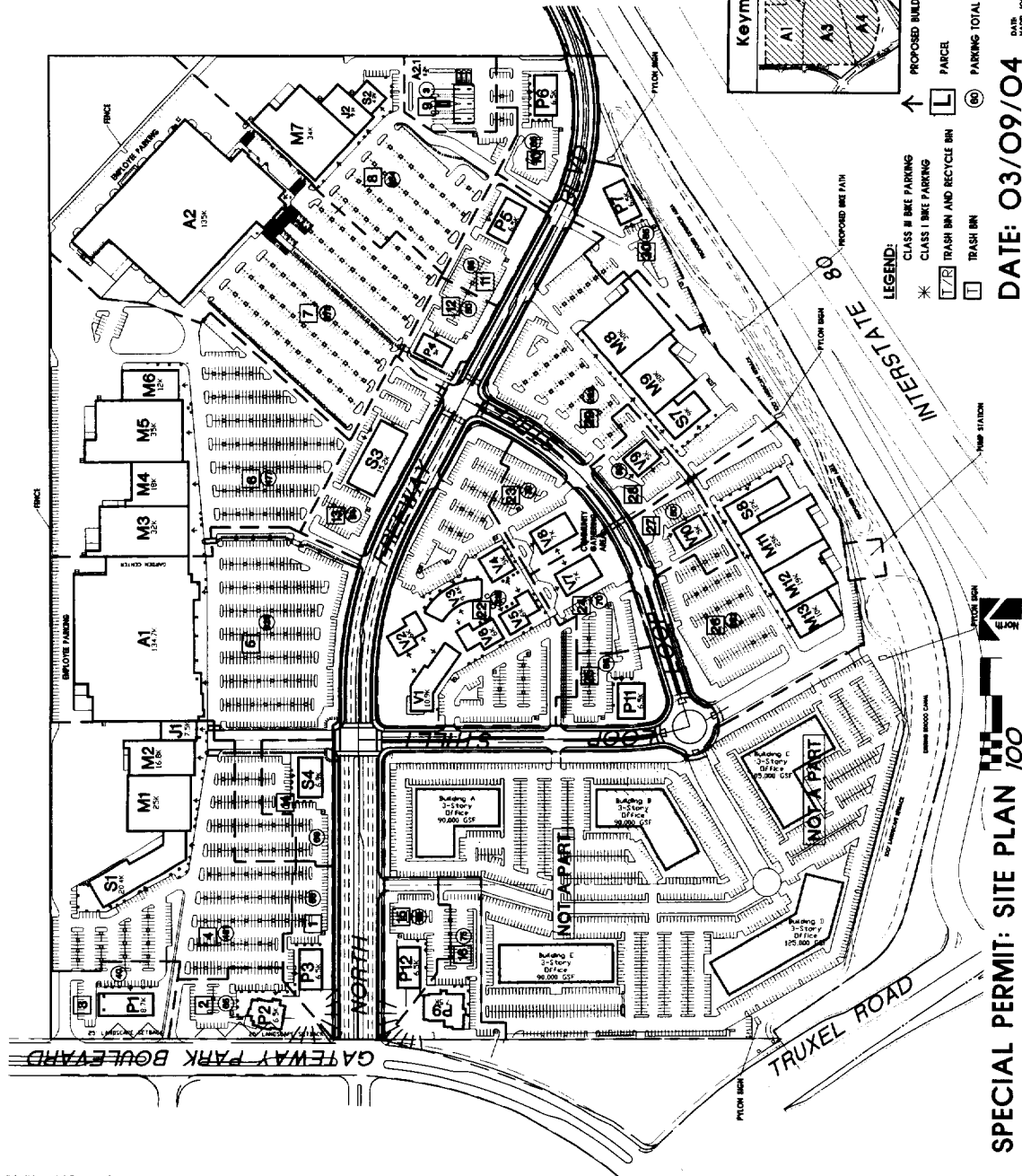
RESOLUTION NO.:\_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# Exhibit 2 Special Permits - Overall Site Plan (Sheet S1)

S U M M A R Y

ITEM	DESCRIPTION	AMOUNT	UNIT	TOTAL
1	Site Plan	1	Sheet	1
2	Site Plan	1	Sheet	1
3	Site Plan	1	Sheet	1
4	Site Plan	1	Sheet	1
5	Site Plan	1	Sheet	1
6	Site Plan	1	Sheet	1
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99	Site Plan	1	Sheet	1
100	Site Plan	1	Sheet	1



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a Development of Opus West Corporation

**DATE: 03/09/04**

**SPECIAL PERMIT: SITE PLAN 100**

**THE PROMENADE AT NATOMAS**  
SACRAMENTO, CALIFORNIA

**Architects Inc**  
S1

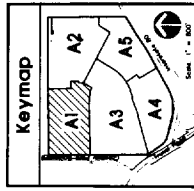
**OPUS**  
2400 CHERRY OAK DR. SUITE 100  
SACRAMENTO, CA 95833  
TEL: 916.444.4400  
WWW.OPUSWEST.COM

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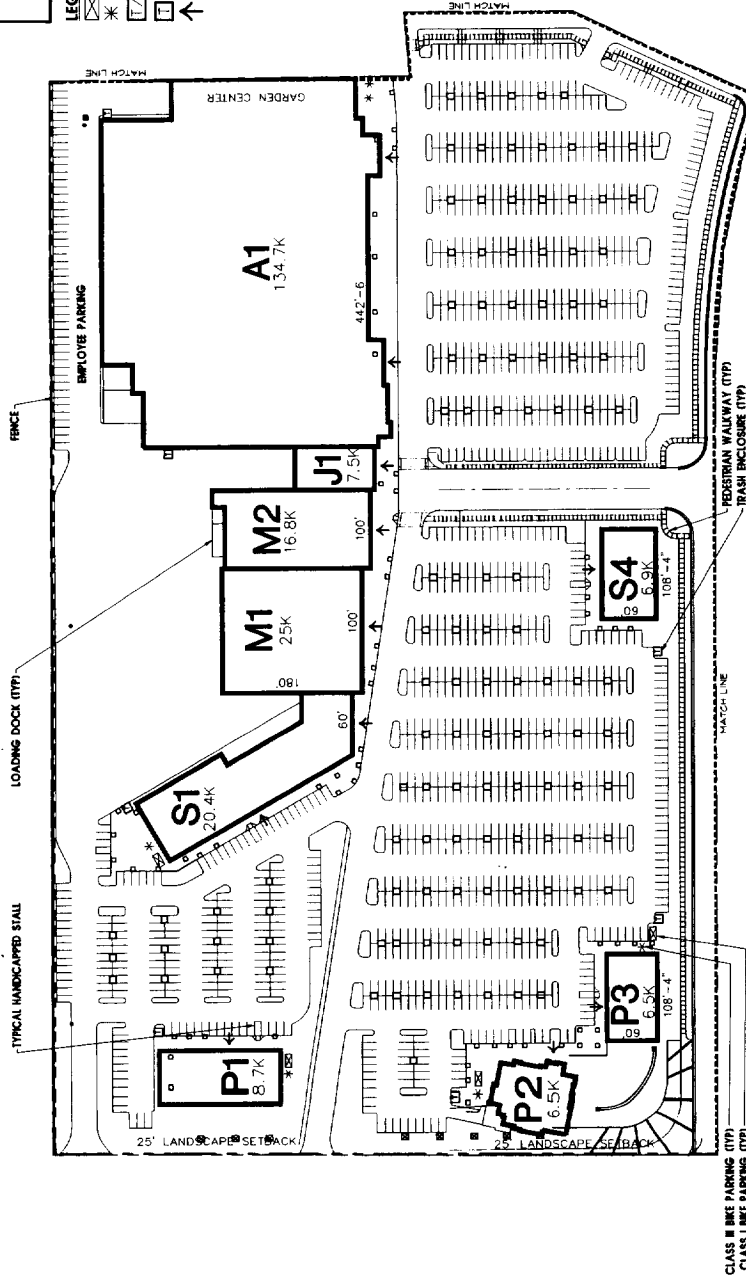
RESOLUTION NO.: 193

DATE ADOPTED:

# Exhibit 3 Special Permits - Expanded Site Plan – Area A1 (Sheet A1)



- LEGEND:**
- CLASS II BIKE PARKING
  - CLASS I BIKE PARKING
  - TRASH BIN AND RECYCLE BIN
  - TRASH BIN
  - PROPOSED BUILDING ENTRANCE



ALL MATERIALS, EQUIPMENT, AND SUPPLIES FOR THIS PROJECT SHALL BE STORED ON THE SITE. ALL MATERIALS AND EQUIPMENT SHALL BE PROTECTED BY AN APPROPRIATE FENCE OR BARRICADE. THE PERMITTEE SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO ALL PUBLIC UTILITIES. THE PERMITTEE SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO ALL PUBLIC UTILITIES. THE PERMITTEE SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO ALL PUBLIC UTILITIES.

**retail architects inc**  
A1

DATE: 03/09/04

**OPUS.**  
a Development of Opus West Corporation

**SCHEMATIC SITE PLAN**  
**50**  
**THE PROMENADE AT NATOMAS**  
**SACRAMENTO, CALIFORNIA**

FOR CITY CLERK USE ONLY

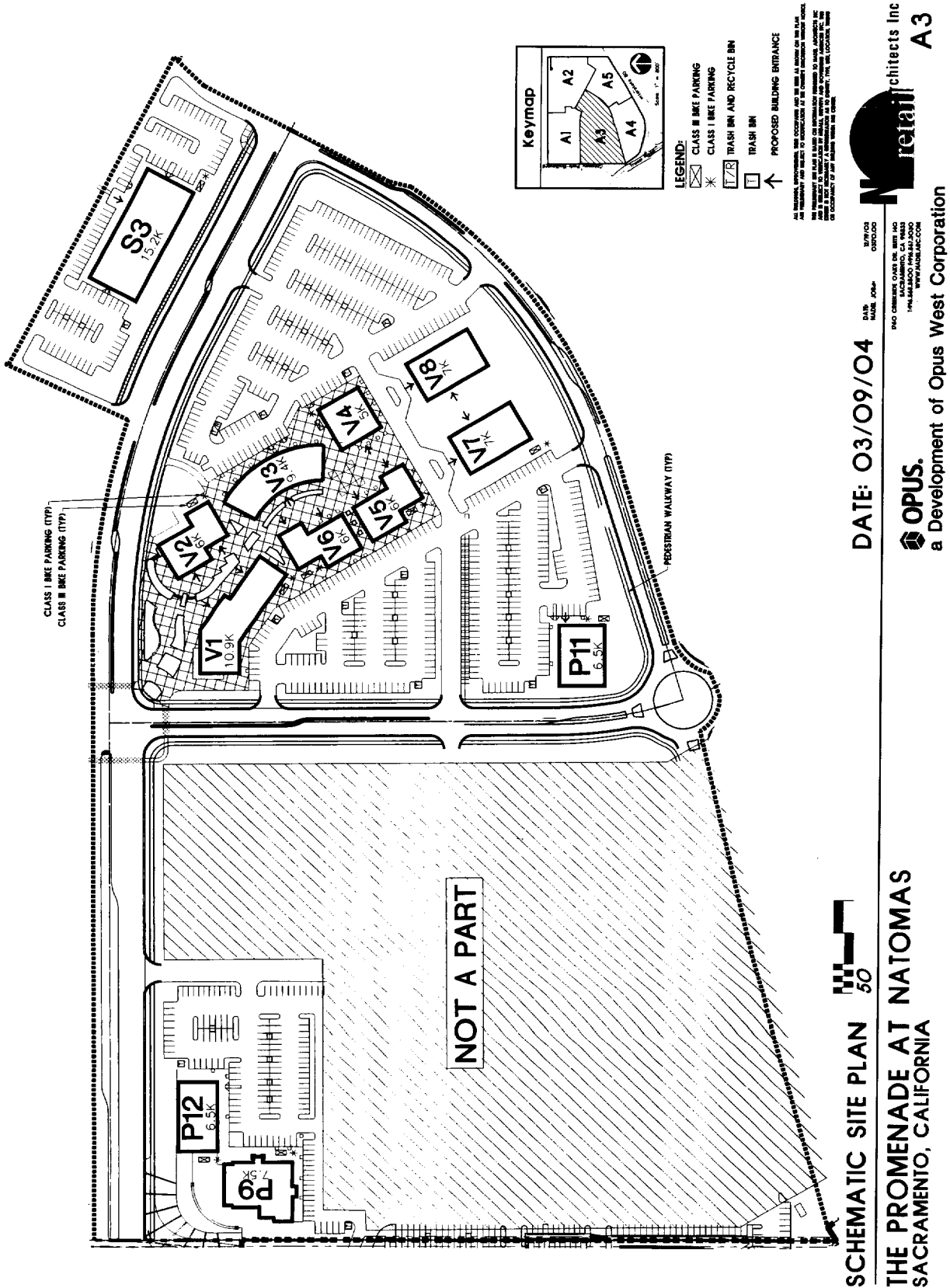
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DATE ADOPTED: \_\_\_\_\_





Exhibit 5 Special Permits - Expanded Site Plan – Area A3 (Sheet A3)

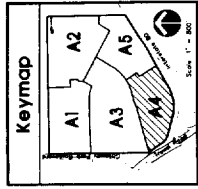


FOR CITY CLERK USE ONLY

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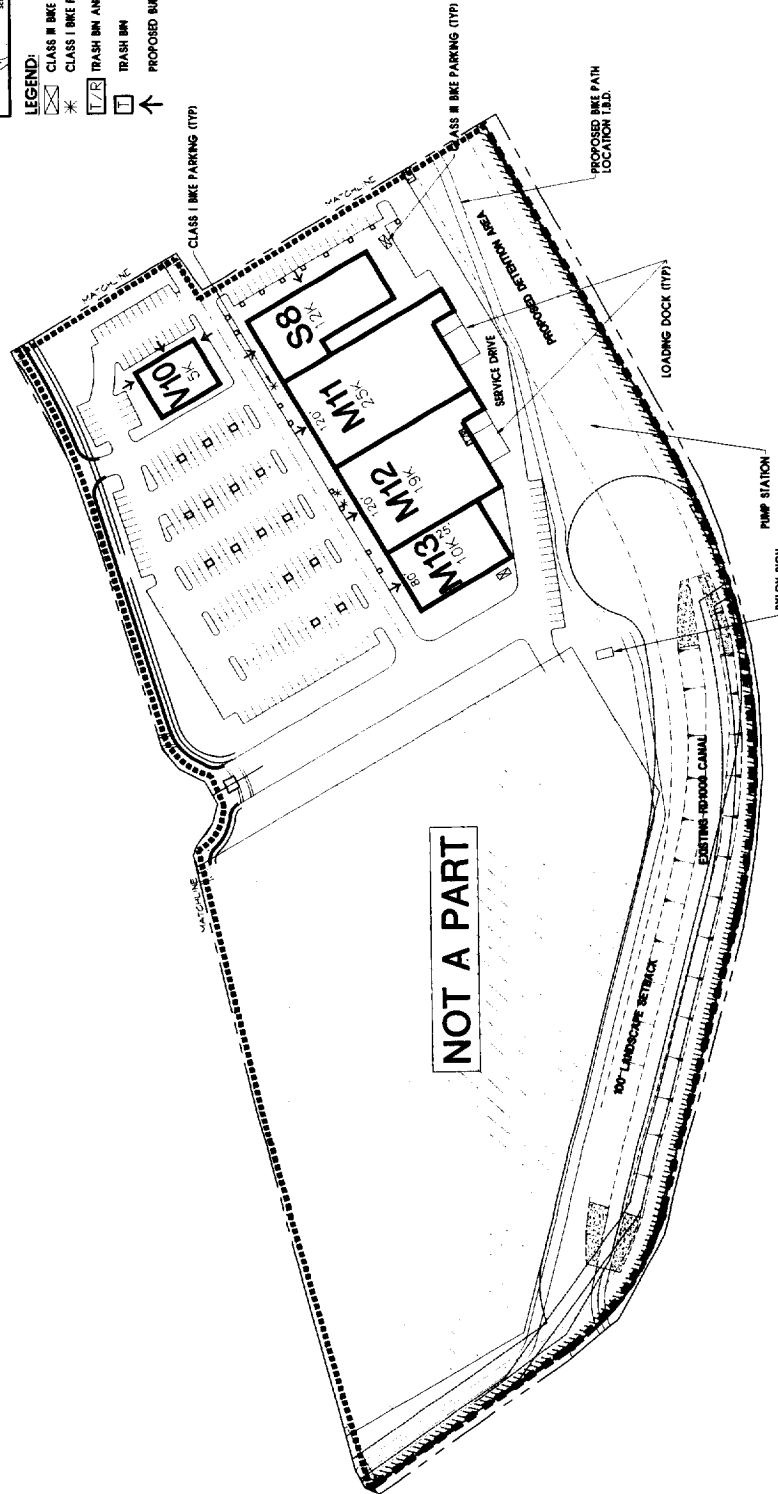
DATE ADOPTED:

# Exhibit 6 Special Permits - Expanded Site Plan – Area A4 (Sheet A4)



## LEGEND:

- CLASS II BIKE PARKING
- CLASS I BIKE PARKING
- TRASH BIN AND RECYCLE BIN
- TRASH BIN
- PROPOSED BUILDING ENTRANCE



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03/09/04 BY 60322  
 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03/09/04 BY 60322  
 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03/09/04 BY 60322  
 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03/09/04 BY 60322

SPECIAL PERMIT: SCHEMATIC SITE PLAN 50

DATE: 03/09/04

DATE: 03/09/04

THE PROMENADE AT NATOMAS  
 SACRAMENTO, CALIFORNIA

OPUS.  
 a Development of Opus West Corporation

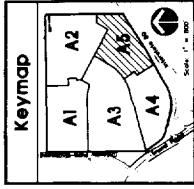
Opus Architects Inc  
 A4

FOR CITY CLERK USE ONLY

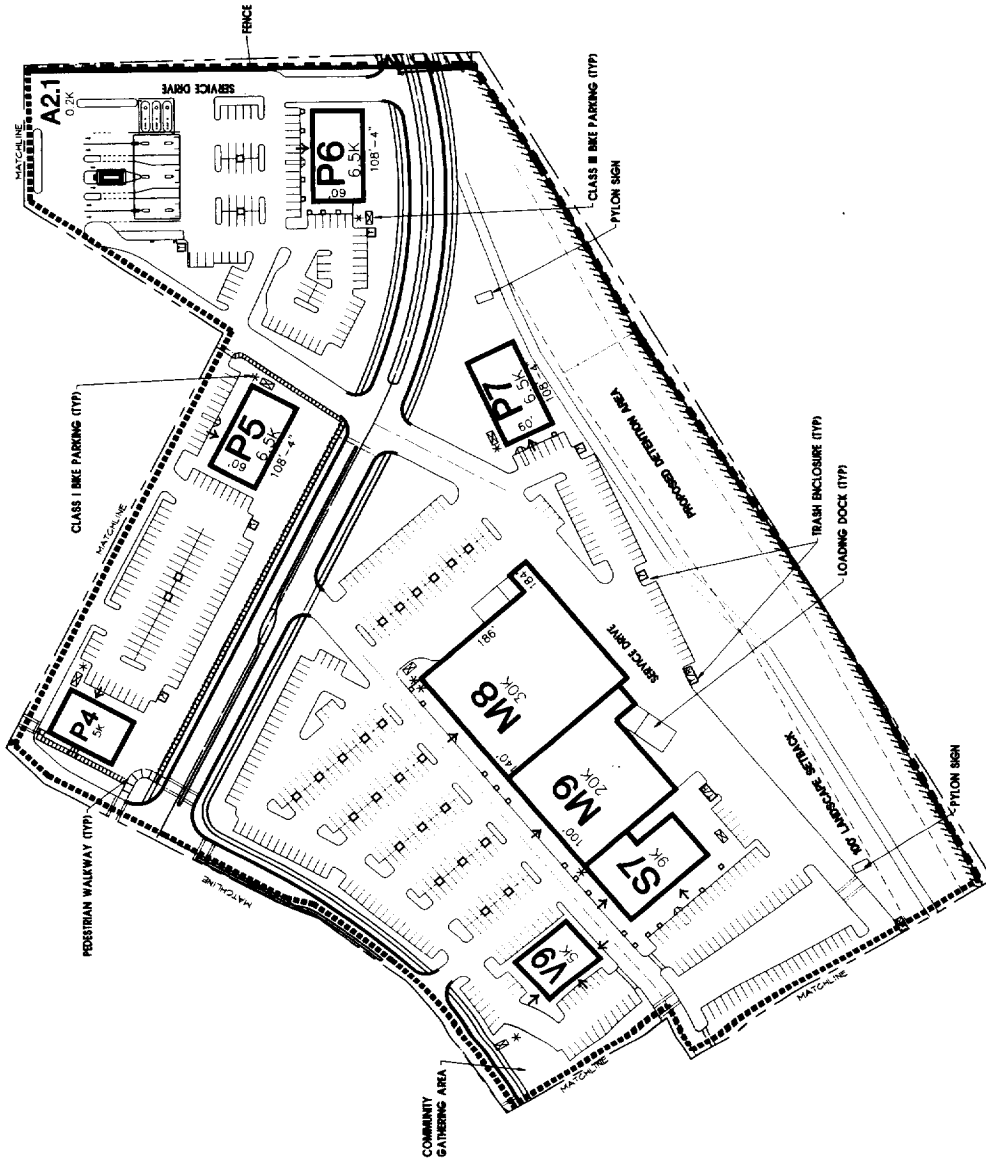
RESOLUTION NO.:

DATE ADOPTED:

Exhibit 7 Special Permits - Expanded Site Plan – Area A5 (Sheet A5)



- LEGEND:**
- CLASS III BIKE PARKING
  - CLASS I BIKE PARKING
  - CLASS II BIKE PARKING
  - TRASH BIN AND RECYCLE BIN
  - TRASH BIN
  - PROPOSED BUILDING ENTRANCE



ALL MATERIALS, EQUIPMENT, AND OCCUPANCY ARE TO BE AS SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SACRAMENTO AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SACRAMENTO AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

SPECIAL PERMIT: SCHEMATIC SITE PLAN 50

THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA

DATE: 03/09/04

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OPUS ARCHITECTS INC.  
A5

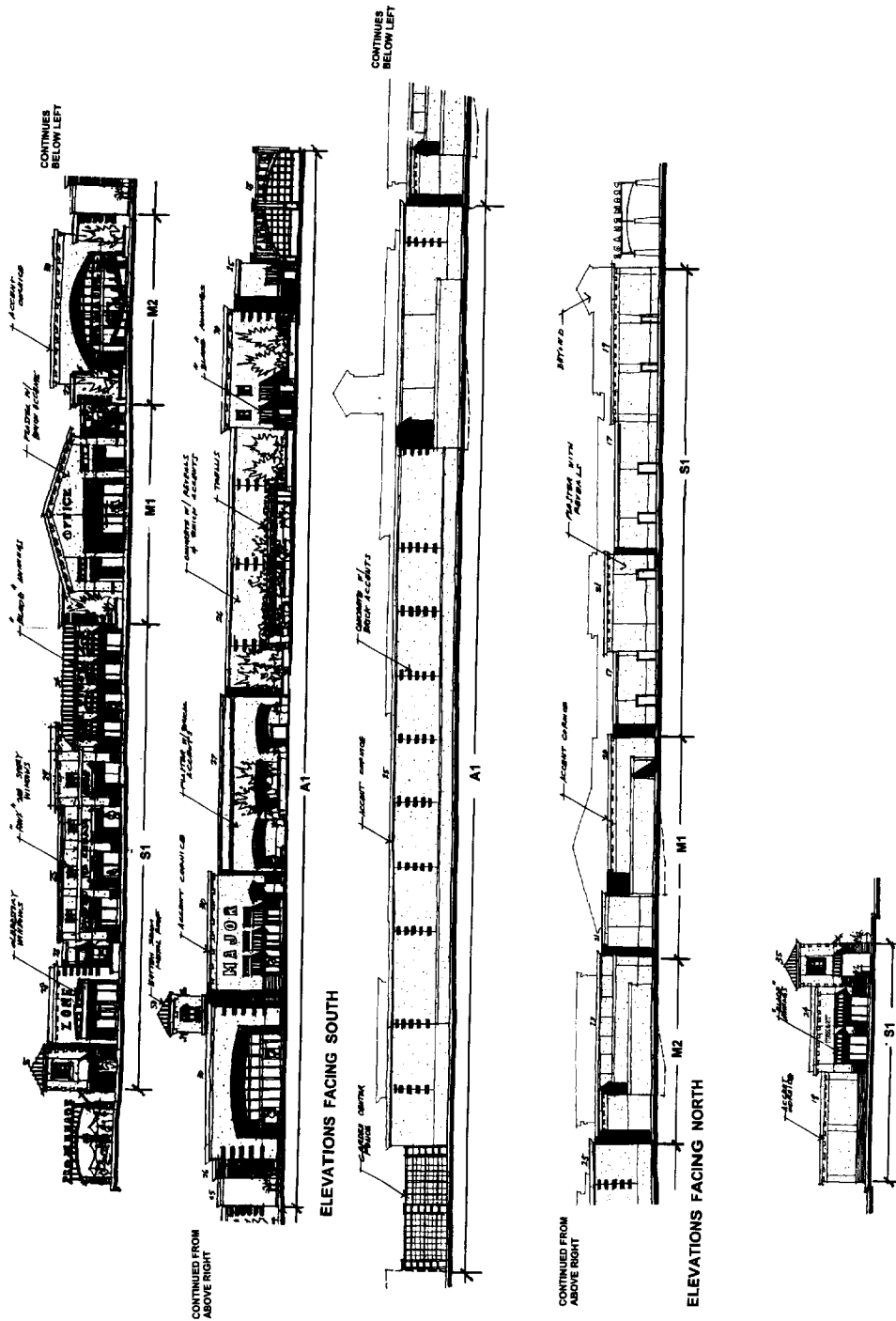
FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

199

Exhibit 9 Special Permits - Typical Elevations for Area A1 (Sheet E1)



ELEVATION FACING WEST

PRELIMINARY ELEVATIONS (SCALE - 1/16" = 1'-0")  
**THE PROMENADE AT NATOMAS**  
 SACRAMENTO, CALIFORNIA

DATE: 12/19/03

**OPUS**  
 a Development of Opus West Corporation



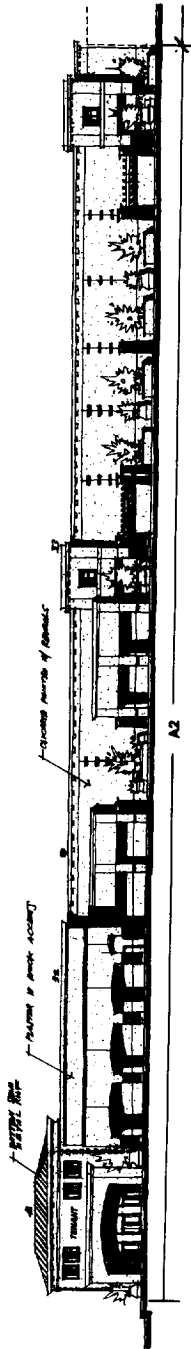
DATE: 12/19/03  
 DRAWN BY: JRM  
 CHECKED BY: JRM  
 PROJECT: THE PROMENADE AT NATOMAS  
 1700 CRENSHAW DRIVE, SUITE 100  
 FOLSOM, CALIFORNIA 95630  
 WWW.RETAILARCHITECTS.COM

FOR CITY CLERK USE ONLY

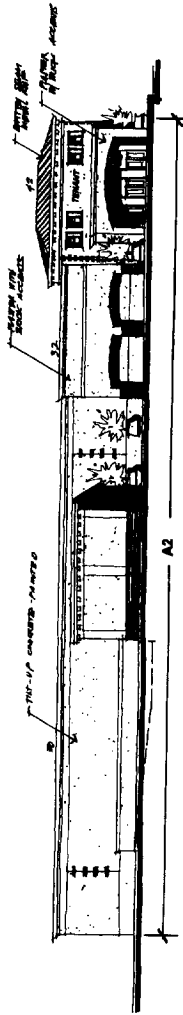
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DATE ADOPTED: \_\_\_\_\_

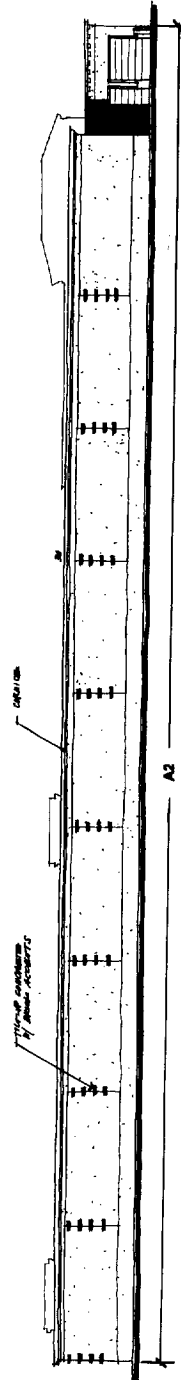
Exhibit 10 Special Permits - Typical Elevations for Area A2 (Sheet E2)



ELEVATION FACING SOUTH



ELEVATION FACING WEST



ELEVATION FACING NORTH

PRELIMINARY ELEVATIONS (SCALE: 1/16" = 1'-0")  
**THE PROMENADE AT NATOMAS**  
 SACRAMENTO, CALIFORNIA

DATE: 12/19/03

**OPUS.**  
 a development of Opus West Corporation

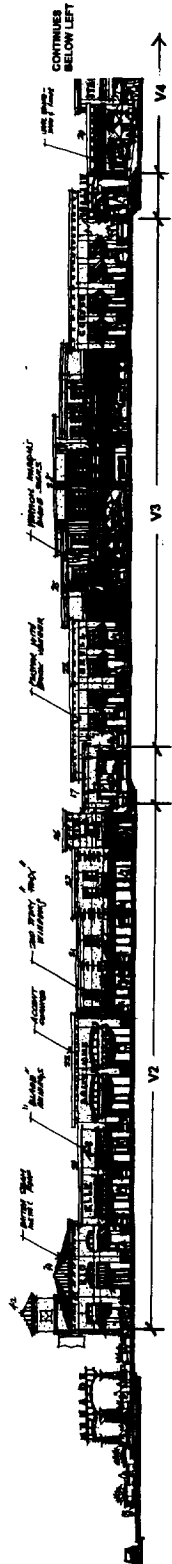


E2

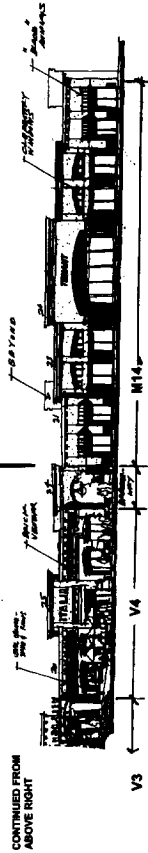
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RESOLUTION NO.: \_\_\_\_\_

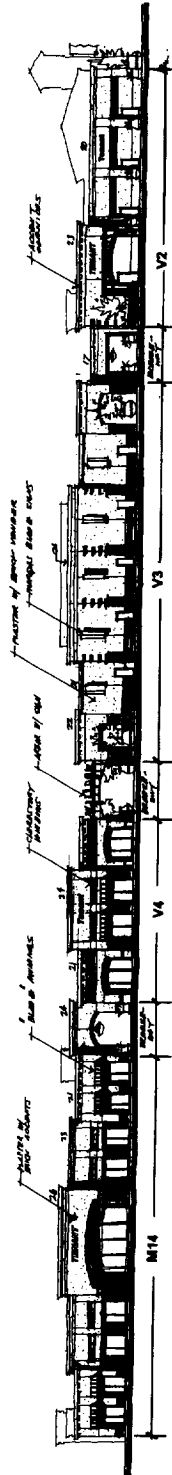
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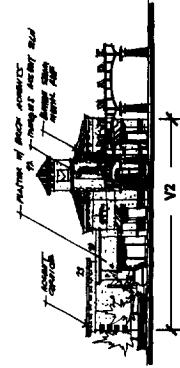
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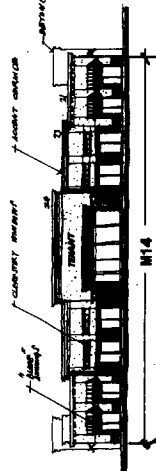
ELEVATIONS FACING WEST



ELEVATION FACING EAST



ELEVATION FACING NORTH



ELEVATION FACING SOUTH

PRELIMINARY ELEVATIONS (SCALE - 1/16" = 1'-0")

THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA

DATE: 12/19/03

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A Development of Opus West Corporation

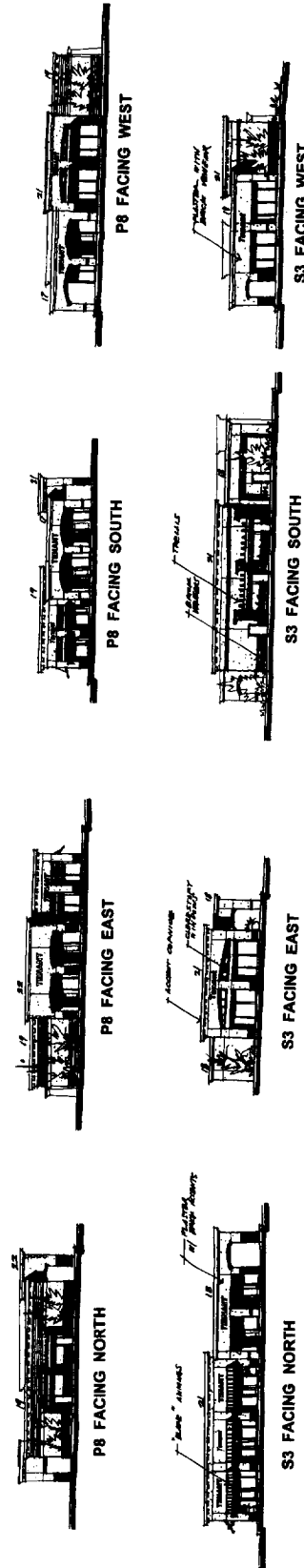
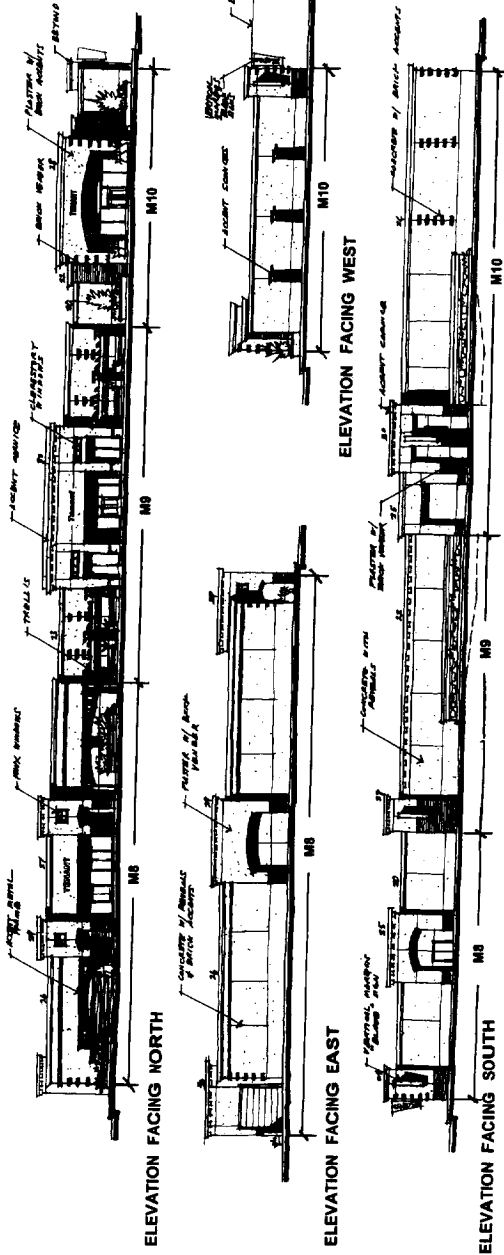
DATE: 12/19/03  
NAME: JONAS  
JOB: 030100  
SHEET: 001 OF 001  
DRAWN BY: JONAS  
CHECKED BY: JONAS  
DATE: 12/19/03  
WWW.OPUSWEST.COM

Architects Inc  
E3

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# Exhibit 12 Special Permits - Typical Elevations for Area A4 (Sheet E4)

M11, M12, M13  
BUILDINGS SIMILAR



PRELIMINARY ELEVATIONS (SCALE: 1/8" = 1'-0")  
THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA

DATE: 12/19/03

OPUS  
Development of Opus West Corporation

DATE: 12/19/03  
NAME: JPM  
PROJECT: CHERRY OAKS DE MTS. IN  
SACRAMENTO, CA 95820  
PH: 916.440.1990 FAX: 916.440.1991  
WWW.OPUSWEST.COM

Metall  
chitects Inc

E4

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



# Exhibit 13 Special Permits - Overall Landscape Plan (Sheet L1)

## Preliminary Shade Calculations

30003.01 Promenade at Natomas  
Based on City of Sacramento Shade Requirements  
03.09.2004

35' Diameter Trees			
Area	Credit	Quantity	SqFt
F	562	611	587782
TQ	722	47	33934
H	481	397	180957
C	240	19	4560
TOTAL		1074	817233

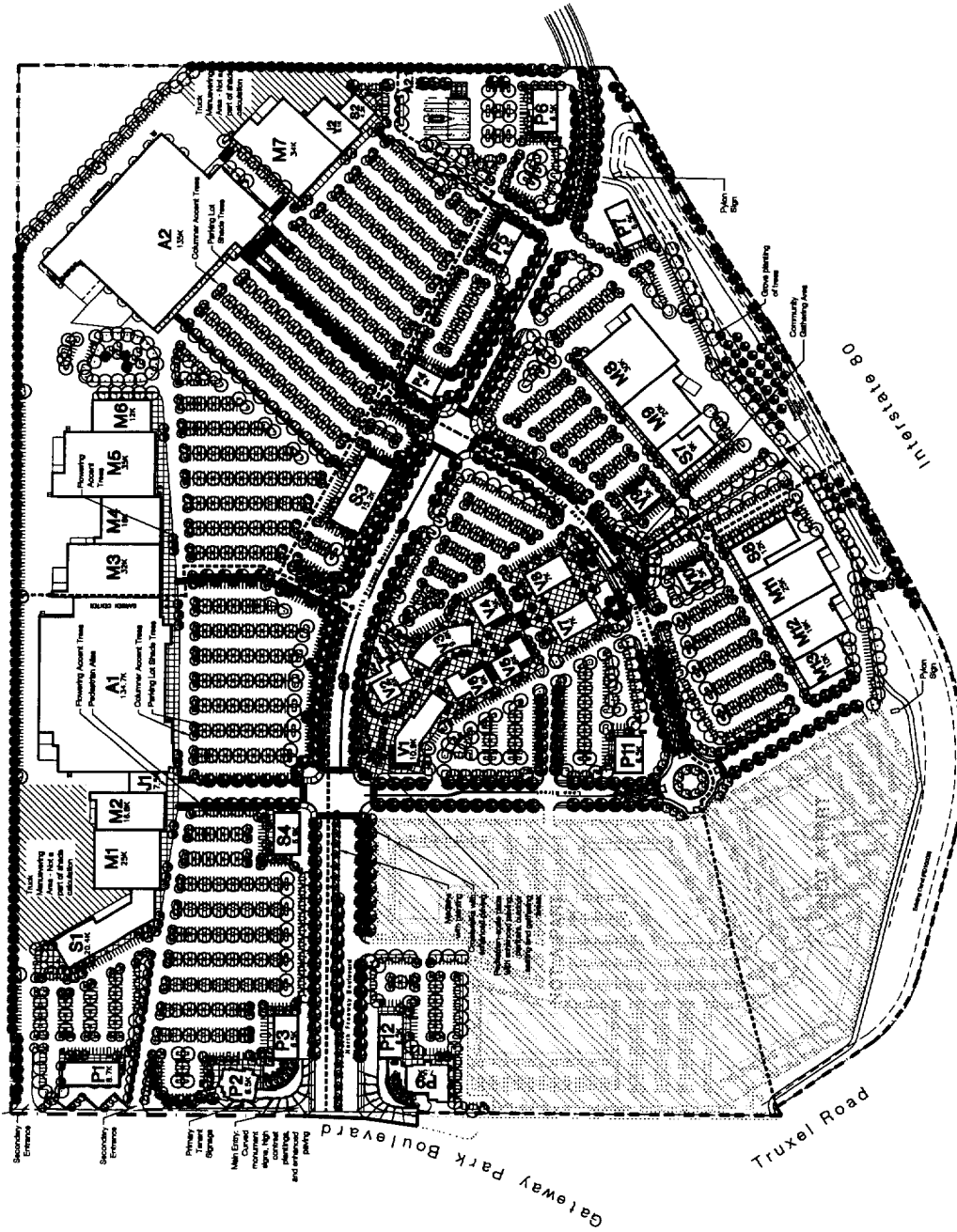
  

25' Diameter Trees			
Area	Credit	Quantity	SqFt
F	481	235	113365
TQ	388	94	23552
H	246	188	46248
C	123	9	1107
TOTAL		498	182292

TOTAL SHADE 1,003,525 SqFt

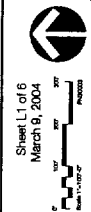
TOTAL PAVED AREA: 1,971,240 SqFt

SHADE PERCENTAGE  
TOTAL SHADE 1,003,525 SqFt  
SHADE % 50.91%



## PRELIMINARY LANDSCAPE PLAN - OVERALL EXHIBIT

### THE PROMENADE AT NATOMAS SACRAMENTO, CALIFORNIA



The HLA Group Landscape Architects & Planners, Inc.  
1900 Third Street, Suite 500 / Sacramento, California 95814  
916.447.7400 / 916.447.8270 fax / www.hla-group.com



OPUS  
a Development of Opus West Corporation

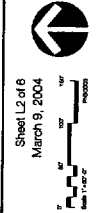
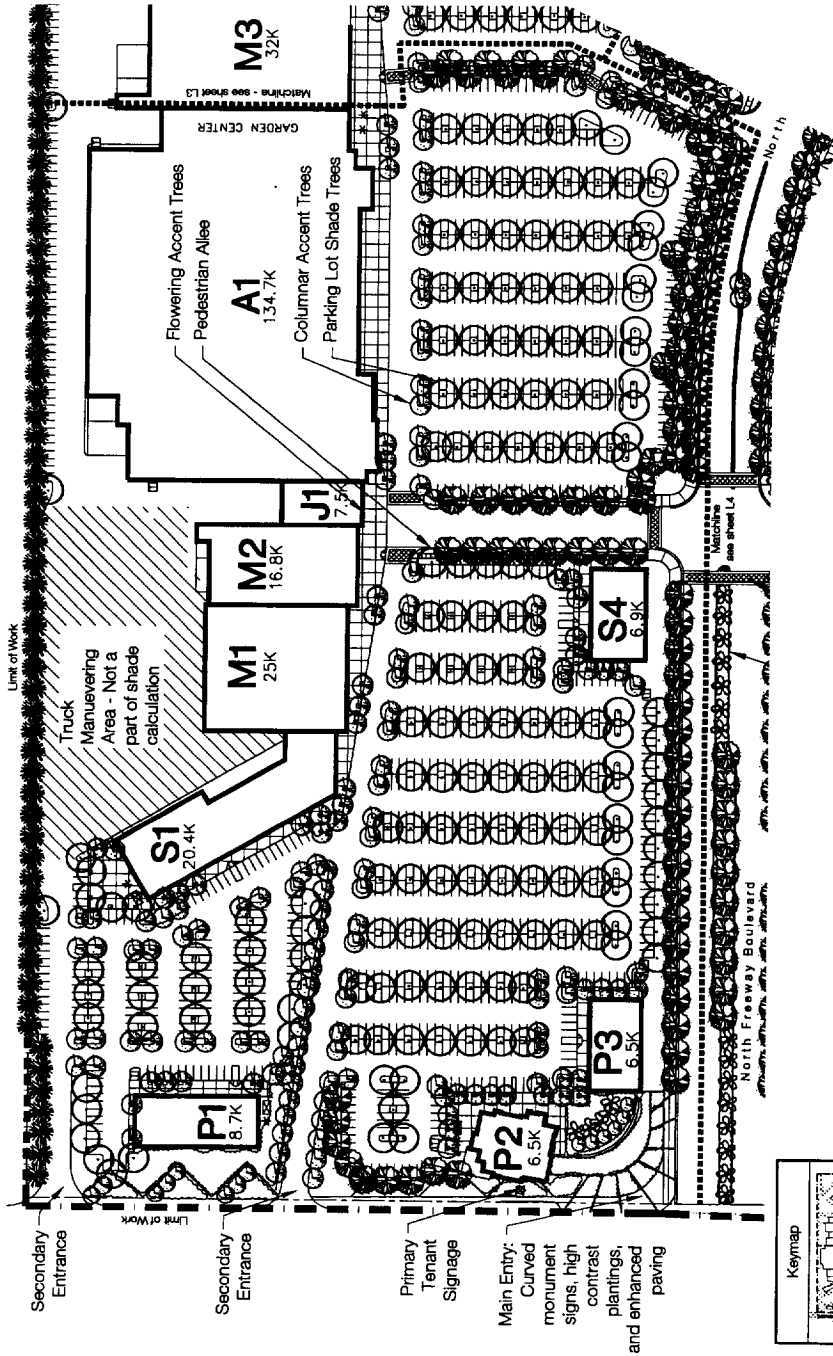
FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# Exhibit 14 Special Permits - Expanded Landscape Plan - Area A1 (Sheet L2)

Proposed Plant Legend	
Symbol	Common Name
	Oak tree
	Flowering Accent Tree
	Columnar Accent Tree
	Parking Lot Shade Tree
	Truck Manuevering Area
	Secondary Entrance
	Primary Entrance
	Main Entry
	Primary Tenant Signage
	Curved monument sign
	High contrast plantings
	Enhanced paving



Sheet L2 of 6  
March 9, 2004  
The HLA Group Landscape Architects & Planners, Inc.  
1800 Third Street, Suite 500 / Sacramento, California 95814  
916.447.7400 / 916.447.8700 fax / www.hlagroup.com



**OPUS.**  
a Development of Opus West Corporation

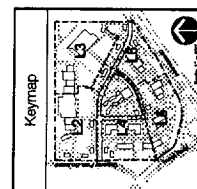
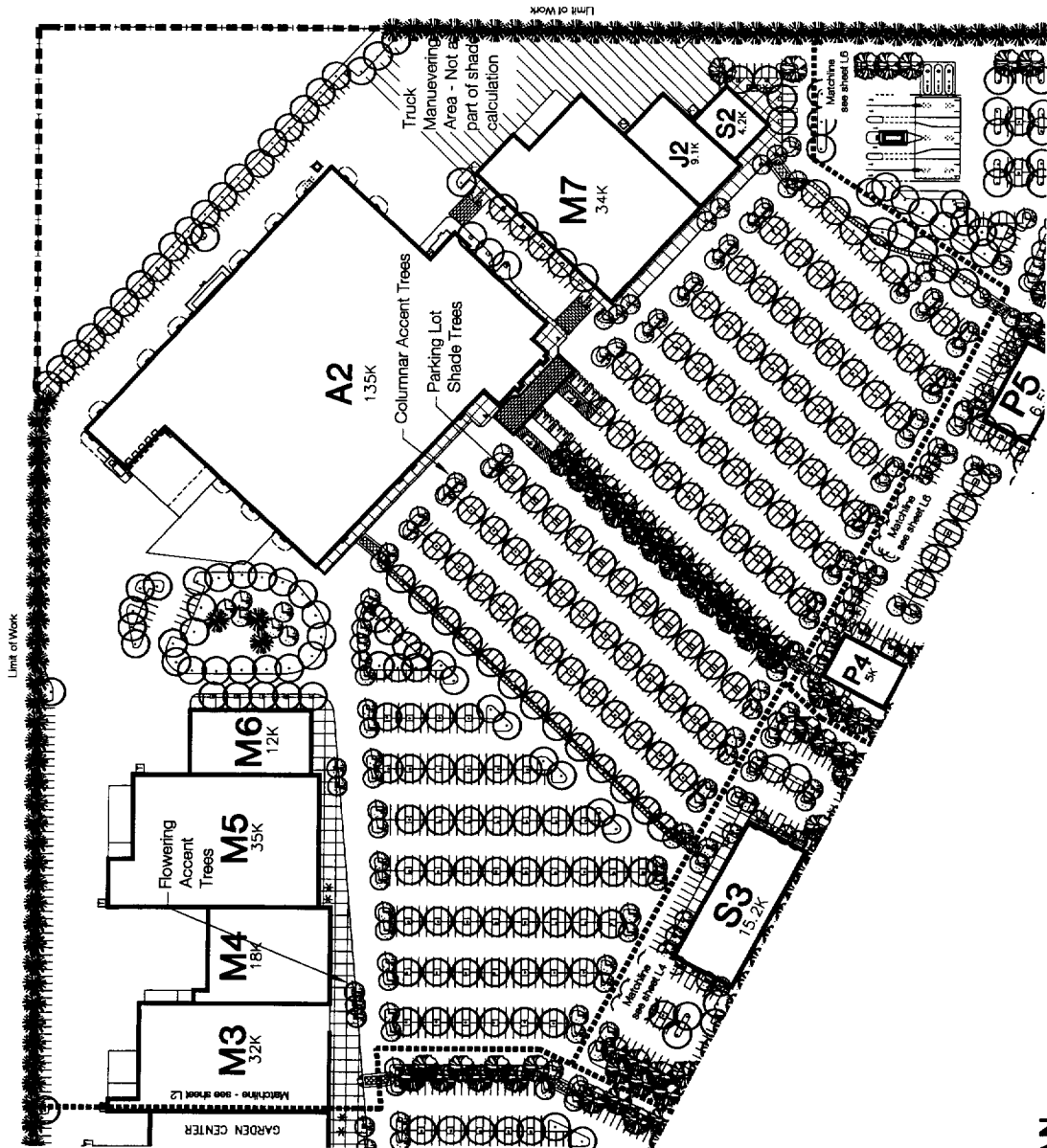
## PRELIMINARY LANDSCAPE PLAN THE PROMENADE AT NATOMAS SACRAMENTO, CALIFORNIA

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

Exhibit 15 Special Permits - Expanded Landscape Plan – Area A2 (Sheet L3)



PRELIMINARY LANDSCAPE PLAN

THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA

**OPUS.**  
a Development of Opus West Corporation



The HLA Group Landscape Architects & Planners, Inc.  
1900 Third Street, Suite 500 / Sacramento, California 95814  
916.447.7000 / 916.447.8270 fax / www.hlagroup.com

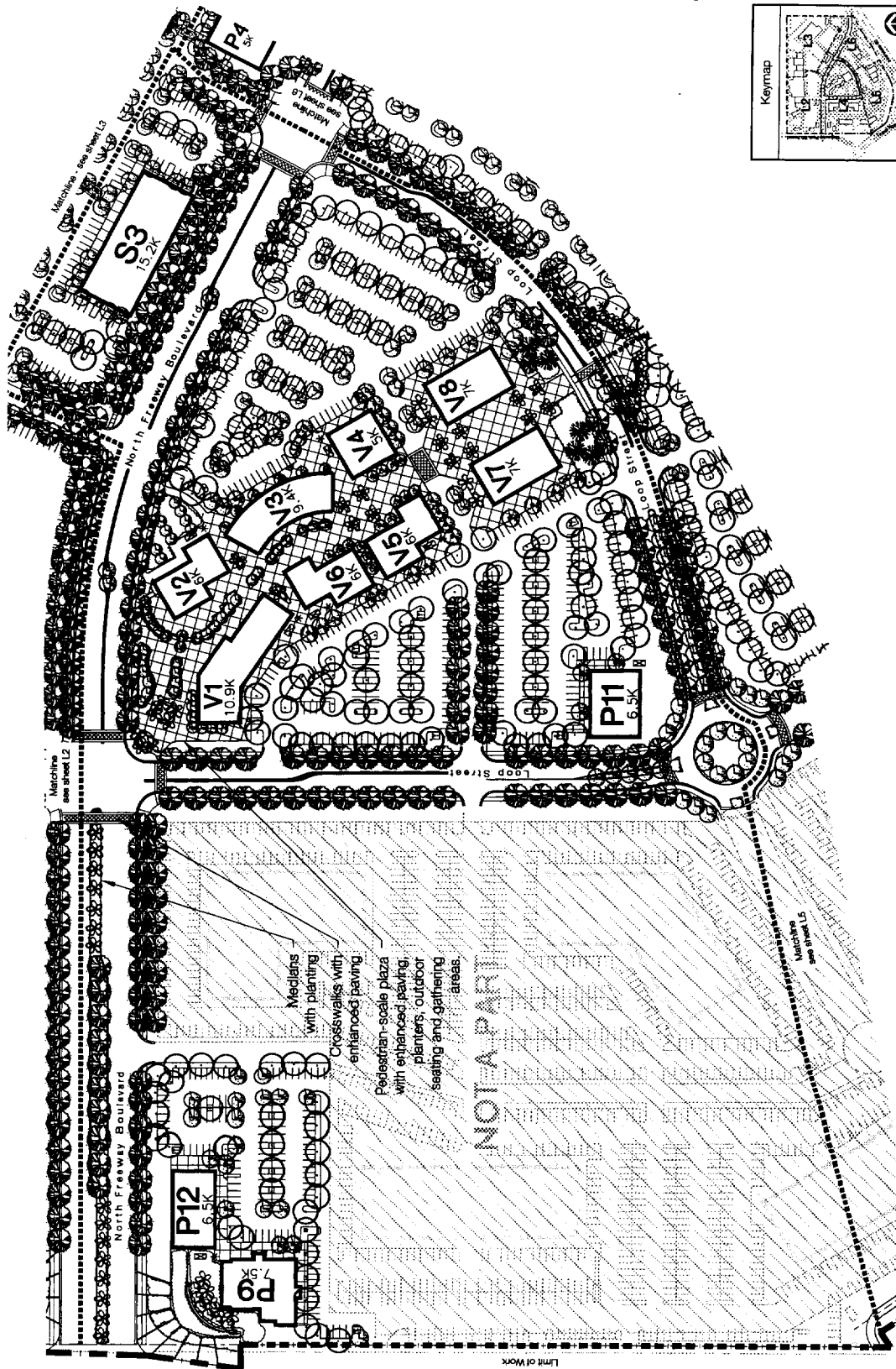
Sheet L3 of 6  
March 9, 2004  
Scale 1"=40'-0"  
North

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Exhibit 16 Special Permits - Expanded Landscape Plan – Area A3 (Sheet L4)



PRELIMINARY LANDSCAPE PLAN

THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA

**OPUS.**  
a Development of Opus West Corporation



The HLA Group, Landscape Architects & Planners, Inc.  
1920 7th Street, Suite 500 / Sacramento, California 95814  
916.447.7600 / 916.447.8270 fax / www.hla-group.com

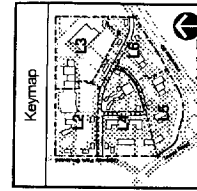
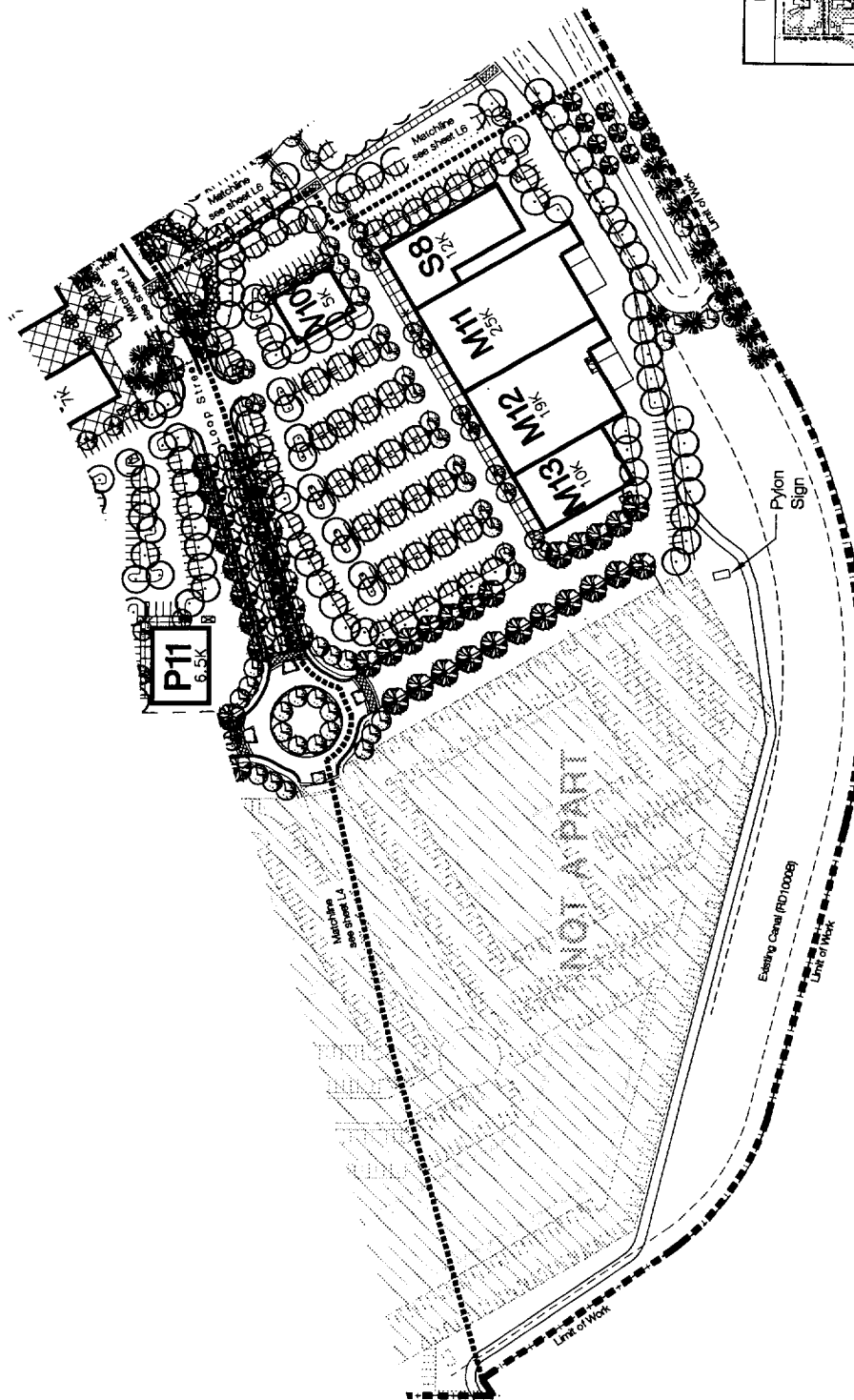
Sheet L4 of 6  
March 9, 2004  
Scale: 1"=40'-0"

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

Exhibit 17 Special Permits - Expanded Landscape Plan – Area A4 (Sheet L5)



Sheet L5 of 6  
March 9, 2004  
Scale 1"=40' 0"

The HLA Group Landscape Architects & Planners, Inc.  
1800 Third Street, Suite 800 / Sacramento, California 95814  
916.447.400 / 916.447.8070 fax / www.hlagroup.com



**OPUS.**  
a Development of Opus West Corporation

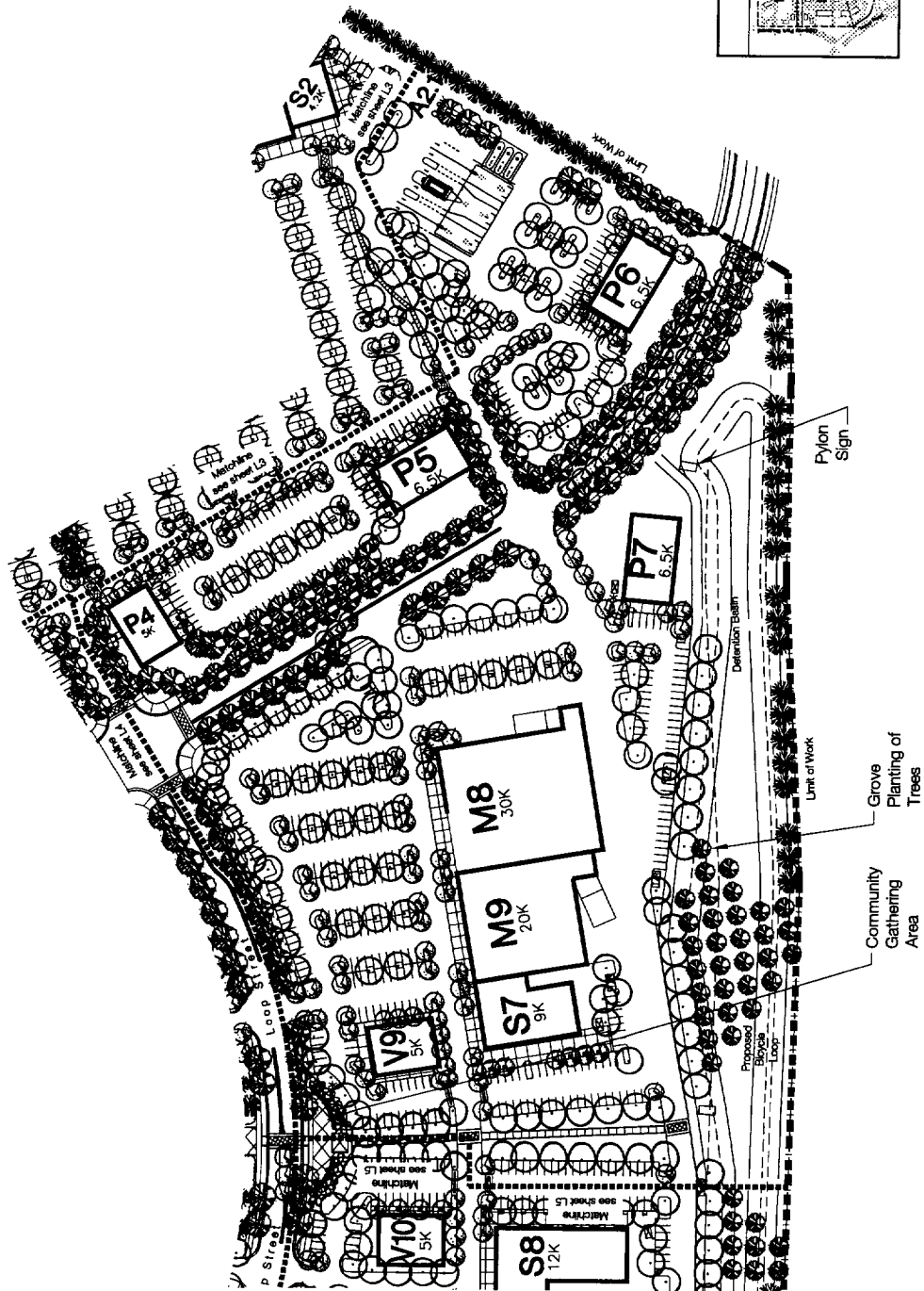
**PRELIMINARY LANDSCAPE PLAN**  
**THE PROMENADE AT NATOMAS**  
**SACRAMENTO, CALIFORNIA**

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Exhibit 18 Special Permits - Expanded Landscape Plan – Area A5 (Sheet L6)

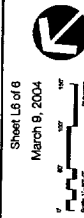


PRELIMINARY LANDSCAPE PLAN

THE PROMENADE AT NATOMAS  
SACRAMENTO, CALIFORNIA



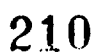
The HLA Group Landscape Architects & Planners, Inc.  
1900 Third Street, Suite 500 / Sacramento, California 95814  
916.447.7400 / 916.447.8275 fax / www.hla.com



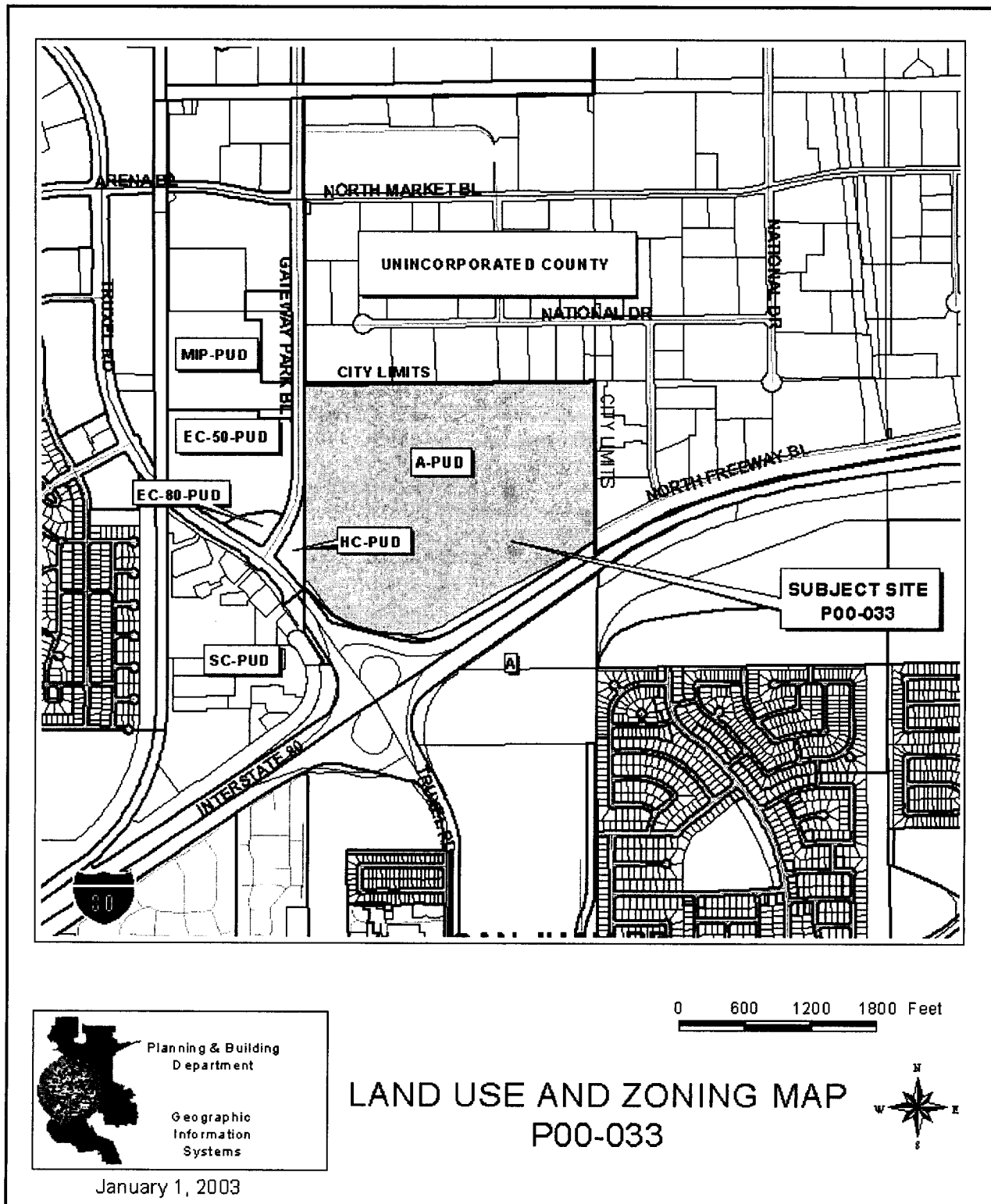
FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



ATTACHMENT B: LAND USE AND ZONING MAP





**CITY PLANNING COMMISSION  
HEARING ITEM**

CPC AGENDA DATE: April 22, 2004

Item No.	Project No.	Title/Location	Action: Approved/Denied
3.	P00-033	The Promenade at Natomas, located north of Interstate 80, and east of Truxel Road and Gateway Park Boulevard	APPROVED WITH AMENDMENT
<b>ACTION</b>			

## VOTE OF THE PLANNING COMMISSION:

STAFF RECOMMENDATION WITH ADDITION

COMMISSIONER	MOTION 1			MOTION 2			ABSTAIN
	Yes	No	M/S	Yes	No	M/S	
Bacchini				✓		M	
Banes				✓		S	
Duruisseau				✓			
Jones	-	-	-	-	-	-	-
Kennedy			M		✓		
Taylor-Carroll	-	-	-	-	-	-	-
Vallencia	-	-	-	-	-	-	-
Woo				✓			
Yee			S		✓		

\*\*\*\* List "Proponents" and Opponents" on reverse side of this page\*\*\*\*

PROPONENTS		
NAME	ADDRESS	ZIP CODE
CHUCK SAW	2251 DOUGLAS BLVD. SUITE 120	95661
<del>FRED ARNOLD</del>	<del>SAC</del>	ROSBURGH, CA.
FRED ARNOLD	SAC REGIONAL TRANSIT	

NAME	ADDRESS	ZIP CODE
ANNE GIBRAGLIA	909 12 ST	95814
WALK SACRAMENTO		
PANDY PESTOR	1825 GARDEN HWY.	95833
ANNA REYNOSO	3915 GINKGO WAY	95834



ATTACHMENT D

PLANNING AND BUILDING  
DEPARTMENT

PLANNING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814-2998

916-264-5381 OFFICE  
916-264-5328 FAX

April 22, 2004

**MEMORANDUM**

TO: Ray Tretheway, DISTRICT 1

FROM: Gary Stonehouse, Planning Director

SUBJECT: **NOTICE OF CALL-UP OPPORTUNITY**

P00-033 - The Promenade at Natomas, located north of Interstate 80 and east of Truxel Road and Gateway Park Blvd.

On the date of **April 22, 2004** the Planning Commission approved the above referenced project with amended conditions.

The Notice of Decision and Findings of Fact (NOD/FOF) is attached. The NOD/FOF detail the nature of the entitlements sought by the applicant, the disposition by the Planning Commission (i.e., whether the entitlement was approved, denied, or forwarded to the Council), and the conditions upon which the entitlements were approved. In addition to the NOD/FOF, the voting record of the Planning Commission is attached.

The City Code and Zoning Ordinance provide the City Council a ten (10) day period to "call-up" Planning Entitlements that were approved by the Planning Commission. Thus, your request to call-up any of the approved entitlements must be received by our office no later than **Monday, May 3, 2004**; please notify the Project Planner by phone, or fax this form with the box checked prior to this date.

Greg Bitter(Project Planner)  
@ 808-7816 (voice); 264-5328 (fax)

☒ **I WISH TO CALL-UP THIS PROJECT**

  
COUNCILMEMBER SIGNATURE

Attachments: NOD/ FOF Voting Record

4/29/04  
DATE

## CITY OF SACRAMENTO

**NEIGHBORHOODS, PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT**  
1231 I Street, Room 200, Sacramento, CA 95814

PLANNING DIVISION  
916-808-5381

## APPEAL OF THE DECISION OF THE SACRAMENTO CITY PLANNING COMMISSION

9/6 808-5656

**DATE:** 5/3/04

**TO THE PLANNING DIRECTOR:**

**I do hereby make application to appeal the decision of the City Planning Commission on**  
April 22, 2004 (hearing date), for project number (P#) 00-033 **when:.**

X Special Permit for 765,000 square feet of buildings for retail use

Variance for \_\_\_\_\_

"R" Review Tentative for \_\_\_\_\_

X Other Subdivision Map for subdivision of 126.4+ gross acres into 33 parcels

was:     X     Granted by the City Planning Commission  
           Denied by the City Planning Commission

**Grounds For Appeal: (explain in detail, you may attach additional pages)**

Including, but not limited to: Inadequacy of the project EIR; inadequacy of infrastructure to handle project impacts; adverse impact on future Light Rail line; adverse impact on Natomas Center project; adverse impact on NCP Financing Plan; adverse impact on smaller NCP retail centers; inconsistency with City's land use demand study.

⇒ Property Location: North of Interstate 80, East of Truxel Road and Gateway Park Boulevard

⇒ Appellant: Marcus J. Lo Duca on behalf of E.J. Daytime Phone: (916) 774-1636  
(please print) Plesko & Associates, Inc.

⇒ Address: 3300 Douglas Boulevard, Suite 365; Roseville, CA 95661

⇒ Appellant's Signature:

**THIS BOX FOR OFFICE USE ONLY**

FILING FEE:      \$1,192.00 By Applicant      RECEIVED BY: Rw. Williams  
                        X \$298.00 By Third Party      DATE: 5/3/04

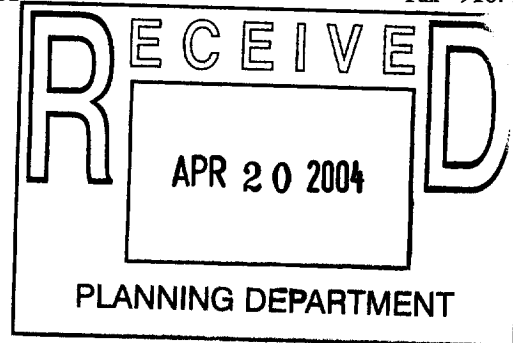
Distribute Copies To: GLS; GL- Project Planner, Tim Larkin (original & receipt) ---  
P# P00-033 Forwarded to City Clerk: \_\_\_\_\_

**SANDBERG & LO DUCA**  
ATTORNEYS AT LAW

MARCUS J. LO DUCA  
CRAIG M. SANDBERG

3300 Douglas Boulevard, Suite 365  
Roseville, CA 95661

Tel 916. 774.1636  
Fax 916. 774.1646



April 21, 2004

James Bacchini, Chair and Members of the Planning Commission  
City of Sacramento  
1231 I Street, Room 300  
Sacramento, CA 95814

Re: Promenade at Natomas Project (P00-033)

Members in Session:

This office represents E.J. Plesko & Associates, Inc., developer of the approved Natomas Center project in the Coral Business Center PUD, across the street from the proposed Promenade at Natomas Project. My client is currently processing building plans with the City and expects to be under construction in the next two months, after a land use entitlement process lasting nearly 5 years. E.J. Plesko is anxious to bring to the Natomas community restaurants, offices and support retail uses to the 25 acre Coral site, consistent with existing land use designations and policies in the North Natomas Community Plan (NNCP).

My client received the Final EIR and staff report to the Commission last week, and based on the concerns set forth below, must take issue with the proposed project based on objections raised by your Commission and the City Council when the Coral project included a larger retail center.

As you may recall, at the time, the 25 acre Coral project was permitted 8 acres of retail uses, and sought to rezone the balance of the site to allow retail uses. The net change was 17 acres, or, put another way, using an average of 10,000 gross square feet of building space per acre, an additional 170,000 square feet of retail space.

In December, 2001, the City Council rejected that proposal. Last October, the City Council approved the modified Coral project, with its emphasis on transit supporting land uses next to the future Light Rail station on Truxel Road near the corner of Truxel and Gateway Park.

Now barely 6 months later, the Commission has before it a project involving NNCP amendments and rezonings for 90 acres of retail uses and 751,000 square feet of retail - - over 5 times the acreage and 4.5 times the additional retail square footage as the Coral project first proposed - - right next door to the Coral center. Yet, serious questions and issues have not been addressed, including:

1. The negative Impact on the now approved, not proposed, Light Rail alignment on Truxel Road;
2. Over concentration of retail, adversely affecting smaller retail centers in Natomas;
3. Traffic and circulation impacts in the vicinity of the regional mall sized project;
4. Inconsistency with the City's land use demand study;
5. Inadequacy of infrastructure to handle impacts from the project;
6. Impacts on the NNCP Financing Plan, including a failure to disclose the land use category of fees that the project will pay;
7. Impacts on my client's approved project, which will be under construction shortly; and
8. Inadequacy of the project's EIR.

Quite simply, when taken together with Natomas Marketplace, the Promenade will create a regional shopping center bigger than Arden Fair Mall, at a location with existing horrendous traffic circulation problems. The Recirculated Draft Environmental Impact Report ("RDEIR") uses largely outdated information in its analyses and utterly fails to analyze the adverse impacts the Promenade will have on the approved, about-to-be constructed Coral project.

Our more detailed comments follow, and are submitted in writing prior to the hearing because I will be unable to attend the hearing due to a previously scheduled public hearing in another jurisdiction.

## LAND USE

In light of the City's rejection of our client's significantly smaller retail proposal just over two years ago, the proposed Promenade at Natomas project should also be rejected. In refusing to approve our client's original retail proposal, the City Council was adamant that it could not support a project that was substantially inconsistent with the North Natomas Community Plan ("NNCP"). By proposing a Community Plan Amendment to allow over 750,000 square feet of regional retail development on a site identified for light industrial development immediately adjacent to our client's property, the Promenade at Natomas project raises precisely these same concerns and, in fairness, should be rejected for the same reasons.

Of equal significance is the project's proximity to the existing Natomas Marketplace development, which includes nearly 600,000 square feet of regional retail. The NNCP is based on an integration of uses that ensures access to varied land uses in all portions of the North Natomas community and, as such, was intended to avoid precisely such over concentration.

By virtue of its location immediately adjacent to the Natomas Marketplace, the Promenade at Natomas, with its addition of over 750,000 square feet of retail space, fails to achieve this goal and would essentially result in over 1.3 million square feet of regional retail at a single intersection. This is clearly inconsistent with the overall vision of the Community Plan and would have a significant and detrimental impact on the viability of other appropriately located retail uses.

In addressing this issue, the RDEIR provides the following conclusion regarding the project's potential impact on overall retail development within the North Natomas community:

"If the project applicant is not successful in securing a 'unique' tenant it is likely that the retail uses that would be developed would be similar to what exists in the nearby Natomas Marketplace project and could ultimately compete with the other future retail projects proposed within the NNCP. If this were to occur it could potentially render other sites within the

NNCP designated for similar retail uses non-viable because it would draw customers to this location.<sup>1</sup>  
[Emphasis added]

Based on the information currently available within the RDEIR, one cannot determine all of the proposed tenants in the proposed project. However, given the size of the project and the general nature of the types of tenants described, there can be no doubt that the project will seriously compete with both existing and planned retail development. Apart from the large big box tenants to be included in the Promenade proposal, the massive amount of retail space included in the project apart from such tenants will utterly undermine the small commercial centers dispersed throughout the NNCP, precisely as the RDEIR predicts. If the City wants large scale retail on the Promenade site, then at most a couple of big boxes - - which still equate to 300,000 square feet, nearly twice as much as my client's rejected retail rezone entailed - - should more than suffice.

Adding to these land use concerns is the wisdom of abandoning light industrial zoning on this property. The City recently commissioned an absorption study for North Natomas. This study was prepared by the Sedway Group. Among the conclusions of that study was that employment center ("EC") zoning in North Natomas was facing difficulties in that there was simply too much office identified. South Natomas currently has approximately 2.25 million square feet of existing office space with a vacancy rate of eleven (11) percent and over 50 acres available for future development. By contrast, North Natomas has over 900 acres of undeveloped EC zoned properties representing more than 15 million square feet of potential office space.<sup>2</sup>

In light of this, the study concludes that there is simply too much office to absorb in a reasonable time frame, if ever. Thus, different uses must be explored for these EC zoned properties. Retail development is likely the best and most realistic use.

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<sup>1</sup> RDEIR at 5.2-7.

<sup>2</sup> Sedway Group, North Natomas Community Plan Area: Absorption Study 2003 Through 2007, July 2003, Page 48.



Conversely, the study concluded that light industrial zoned property could absorb in the near term because of the demand. Recent Business Journal articles, enclosed herewith, point to the necessary demand for precisely the Light Industrial acreage that the Promenade project would eliminate. The demand by Gatorade, Federal Express, Kohl's, Lowe's and others is the best indication of current demand for light industrial space near major transportation corridors. Why eliminate all of the light industrial acreage here in one fell swoop, particularly for property adjacent to the existing Northgate industrial area?

For these reasons, the Promenade at Natomas project represents poor land use planning and should be rejected. The project fails to meet even the most meager goals of the Community Plan and, as noted in the RDEIR, has the potential to significantly undermine the viability of other retail developments that would otherwise be consistent with the NNCP. Moreover, it serves to exacerbate the problems facing EC zoned land and destroys a viable land use - light industrial.

## ENVIRONMENTAL IMPACTS

### A. Traffic

By its own terms, the RDEIR provides that the traffic and circulation information utilized to conduct the traffic analysis was based on information generated in July 2000 - - nearly 4 years ago, before thousands of units were built in the NNCP - - in conjunction with the release of the project's original Notice of Preparation ("NOP").<sup>3</sup> Although it appears that some minor modifications have been made and the document recognizes that "some conditions may have changed during the course of this analysis," the RDEIR goes on to provide, without explanation or amplification, that "...such changes would have a nominal affect on the analysis, except where noted."<sup>4</sup>

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<sup>3</sup> Id. at 7.2-2.

<sup>4</sup> Id.

This cursory acknowledgement of potentially changed circumstances is wholly inadequate given the phenomenal growth that has occurred in North Natomas over the last three and a half years, at a pace far quicker than projected in 2000. Several changes have occurred since the July 2000 release of the project's original NOP, which have not been addressed. EC retail and residential projects have been approved along Truxel Road, substantial changes have been made to circulation at the Natomas Marketplace, a regional Kohl's department store has been constructed, and, most significant, our client's Coral Business Center development has been approved immediately adjacent to the proposed Promenade at Natomas project site.<sup>5</sup>

In overturning the certification of an EIR for a proposed housing project for failure to consider existing and proposed adjacent projects, the court in San Joaquin Raptor v. County of Stanislaus noted that "CEQA requires an EIR to discuss the cumulative effect on the environment of the subject project in conjunction with other closely related past, present and reasonably foreseeable probable future projects." More important, in finding the EIR inadequate, the court went on to conclude that "... because other development projects are neither listed nor adequately discussed in the FEIR and the conclusions reached in the DEIR concerning the effects of cumulative development are not supported by complete and accurate facts and analysis, the cumulative discussion is inadequate as a matter of law."<sup>6</sup>

B. Circulation

As approved, the Coral Business Center project includes an internal driveway that provides direct access from the future Gateway Park/North Freeway intersection to Truxel Road. This access is strictly a private internal driveway for the use of our client's tenants and patrons and was not designed to operate as a public road. Moreover, it should be noted that the extension of

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<sup>5</sup> Coral Business Center Project, P99-072, approved October 23, 2003.

<sup>6</sup> 27 Cal.App.4th 713, 739-741 (1994); see also, *City of Redlands v. County of San Bernardino*, 96 Cal.App. 4th 398 (2002); *Fairview Neighbors v. County of Ventura*, 70 Cal. App. 4th 238 (1999); Public Resources Code § 21083(b); and, CEQA Guidelines §§ 15130 & 15355.

North Freeway to Gateway Park was never identified in the NNCP. Although there is a reference in our client's approvals to this extension, there was always an understanding that North Freeway would remain a small, 2 lane collector street.

Nevertheless, the Promenade at Natomas project will result in a significant number of vehicles utilizing this private driveway as a shortcut to Truxel Road. To partially mitigate for the volume of traffic that will be generated by this project, the RDEIR requires that both North Freeway and Gateway Park be increased in size to six (6) lane major arterials with anticipated daily traffic volumes on each of approximately 26,000 and 34,000 vehicles respectively. These roads intersect at our client's driveway and will inevitably serve to funnel significant traffic through its property to Truxel Road. With my client beginning construction this summer, moreover, the eventual expansion of Gateway Park would generate potentially millions of dollars in damages to the Coral project, damages for which the City would be liable.

Moreover, pursuant to City standards, as major arterials, this signalized intersection should be separated by 1000 feet from the existing Truxel Road/Gateway Park intersection. However, to be consistent with our client's approved driveway, which was located assuming these roadways would remain collector streets, this intersection only has approximately 800 feet of separation.

Although these scenarios raise substantial traffic and safety concerns, there is absolutely no discussion in the RDEIR about them or how the Promenade at Natomas project would even attempt to prevent cut through traffic from utilizing our client's property, nor was there any analysis of the impact of development at the corner triangle piece at the Truxel intersection on general circulation in the area.

These concerns are not unfounded. The City's Public Work staff recently approached our client requesting that it identify this private driveway as a public road to allow traffic to cut through to facilitate the proposed Promenade at Natomas project. In response to our client's vehement opposition, staff has since withdrawn its request. However, in making this inquiry, staff has highlighted a

very realistic concern that cut through traffic generated by the Promenade at Natomas project presents a potentially significant impact that should be addressed. As such, the failure to even discuss this relevant information raises significant questions regarding the adequacy of the RDEIR.

In addressing these issues, the court in Save Our Peninsula Committee v. Monterey County Board of Supervisors provided that "failure to include relevant information precludes informed decision making and informed public participation thereby thwarting the statutory goals of the EIR process." More important, the court then went on to find that "[w]hen the informational requirements of CEQA are not complied with, an agency has failed to proceed in 'a manner required by law' and has therefore abused its discretion."<sup>7</sup>

C. Light Rail

At the time the Coral project went before City Council in December of 2001, the Truxel alignment for the future extension of Light Rail was only one potential alternative alignment, yet that alternative was the basis for the City Council's decision to deny the 17 acre Coral project retail rezone. Now 2 ½ years later, the Regional Transit Board of Directors has selected the Truxel alignment as the Downtown-Natomas-Airport line, and yet the Promenade project, adjacent to Corals, is being considered for a 90 acre rezone to the same type of retail uses.

Almost as disturbing as the hypocrisy of the City even considering this proposal, the Promenade EIR fails to analyze the impact on Light Rail trains from traffic delays at and near the very intersection, Truxel and Gateway Park, that was at issue with the Coral project. Without such an analysis, any City action approving this project would be suspect and open to successful legal attack.

D. Financing Plan Impact/Infrastructure Capacity

The Promenade property owners have historically not participated in the NNCP Financing Plan, and there is no discussion in the staff report on the impact on such plan from this project. If the Promenade proposes to pay only Light Industrial level fees, the Financing Plan will be underfunded and the City will

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<sup>7</sup> 87 Cal. App. 4<sup>th</sup> 99 (2001).

have to pick up the slack because, in all fairness, the City would be gaining the benefit of higher sales tax revenues from the project. Just as importantly, there is no analysis of the impact that the Promenade rezone will have on utilizing road/sewer/water capacity constructed or to be constructed by others for use by approved land uses in the NNCP. Adding 1.2 million square feet of uses to a site designated in significant part for Light Industrial uses will surely utilize infrastructure capacity created for the approved land uses in the NNCP. When other property owners, including EC property owners, go to build, where will the capacity be?

### Conclusion

The Promenade at Natomas site is simply not appropriate for regional retail development. The proposed project is inconsistent with the NNCP and, in conjunction with the existing Natomas Marketplace, would result in the over concentration of more than 1.3 million square feet of regional retail development in one location in direct contradiction to the NNCP's underlying goals. Moreover, approval of this development has the real potential to undermine the viability of other existing and future retail development throughout the Community Plan. Given the City's recent market studies, EC zoned land faces significant challenges, and, as such, is better suited to retail conversion. Therefore, light industrial land, like that on the Promenade at Natomas project site, should be preserved.

In addition to these fundamental land use deficiencies, the RDEIR prepared for the project is inadequate in that it is based on outdated information and, more importantly, fails to analyze or even address the significant traffic and safety impacts this project will have on our client's property vis-à-vis the vastly expanded and improperly located Gateway Park/North Freeway intersection. The failure to address these issues is fatal. The RDEIR must be revised to consider these significant impacts before the City may proceed with Planning Commission and City Council review of this project.

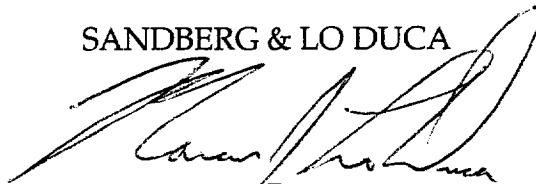
Finally, this City took a very public stand that development in North Natomas must be consistent with the NNCP. In rejecting our client's retail shopping center proposal, the City said, in no uncertain terms, that such departures from the Plan should not be countenanced. In the face of the City's position on the issue, our client redesigned its project.

It is only fair that the developers of the Promenade at Natomas be asked to do the same. To suggest otherwise and to permit this development to go forward would be an outrage to our client and other property owners and developers who have endeavored to bring projects forward that respect the land use goals and policies that are embodied in the NNCP, and to residents who have supported the NNCP.

For these reasons, we respectfully request that the Planning Commission reject the Promenade at Natomas project.

Respectfully submitted,

SANDBERG & LO DUCA

A handwritten signature in dark ink, appearing to read 'Marcus J. Lo Duca', written over the printed name below.

Marcus J. Lo Duca

MLD/tb  
Enclosure

cc: Terry Furmanek, E. J. Plesko  
Heather Fargo, Mayor  
Ray Tretheway, Councilmember  
Bob Thomas, City Manager  
Carol Shearly, Natomas Town Manager  
Gary Stonehouse, Planning Director  
David Kwong, Senior Planner  
L.E. Buford, Environmental Manager

Sacramento Business Journal - April 12, 2004

<http://sacramento.bizjournals.com/sacramento/stories/2004/04/12/story4.html>

# SACRAMENTO Business Journal

## EXCLUSIVE REPORTS

From the April 9, 2004 print edition

### Big names seek warehouse space

Mike McCarthy and Kelly Johnson

Staff Writers

Kohl's Corp., Lowe's Cos. Inc., Wal-Mart Stores Inc., PepsiCo and other big companies are looking for giant warehouses or industrial buildings in the Sacramento region, local real estate sources say. In all, they're in the hunt for at least 4.5 million square feet.

The scouting by "big box" warehouse users may signal the revival of Sacramento's slowed industrial real estate market, but some say the region isn't as friendly to warehouses as it once was and nearby areas could snag some of the new business.

Warehousing has been the staple of Sacramento's nonresidential development picture because of the region's central location on the West Coast and booming local growth. As a result, Sacramento's biggest commercial-building developers are warehouseers. Those players include Joe Benvenuti, Buzz Oates and Carl Panattoni. The roughly 155 million square feet of warehouse space -- think floor space equal to 155 regional malls -- is by far the biggest piece of the commercial building market.

But the warehouse business is cyclical, and the national economic downturn of the past few years chilled the local market. Big-box users backed away from renting more space, at least in Sacramento. Oates and the others turned to building little warehouses for sale to local companies.

The big-box warehouse market looks poised to revive, but much of the action may go to San Joaquin County or elsewhere because Sacramento-area municipalities have begun taking a dim view of the operations, despite their importance to the region's economic engine, said Dave Leatherby, a broker in the Central Valley Industrial Group at Colliers International.

As the market cooled: Industry data show the warehouse market's decline in recent years. In the boom year of 2000, the amount of occupied warehouse space in the region grew by 7 million square feet, according to CB Richard Ellis. That growth in occupied space is called "net absorption" and, along with vacancy rate, is considered a key indicator.

In contrast, 2001's net absorption was a piddling 480,000 square feet, and last year's net was 2 million square feet -- down 71 percent from 2000.

Last year, the regional warehouse vacancy rate was 10.6 percent, far higher than the 6.8 percent in 2000 and the even-lower vacancies in the years just before 2000. That translates to 8.8 million square feet vacant in 2000, compared to 16.4 million square feet at the end of December, according to CB.

Things may be changing. Developers and brokers say some big users are hunting for space. Specifically:

- Department store Kohl's is looking for 800,000 square feet.

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- Lowe's is looking for one site with up to 800,000 square feet of distribution for its home centers and another site for 1 million square feet.
- Wal-Mart is looking for up to 900,000 square feet for a grocery distribution center and 225 acres for a new center to distribute nongrocery goods. That latter could become the largest distribution facility in the region.
- PepsiCo's Gatorade operation may need some 600,000 square feet to house a bottling plant, and it is rumored that the company's Frito-Lay division is seeking space.
- Biomedical operations are looking for two sites to hold 100,000 square feet each.

Veteran observers believe such action foreshadows a return of big warehousers to the region.

"We haven't seen deals yet, but we see them in the works," said Mike Lyons, an industrial-building broker at CB Richard Ellis.

"Leasing is definitely going on in the bigger markets, and that usually trickles down to Sacramento," said Dave Brennan, a warehouse broker at Cornish & Carey. "It may be starting to turn."

Such a deal: Although, there are no new, signed big-box deals in Greater Sacramento, it makes sense they would be in the making, said Laura Stone, managing economist for Torto Wheaton Research, a CB subsidiary.

The past few years have seen construction of more big warehouses, partly because companies wanted to consolidate distribution in new, state-of-the-art, computerized facilities, she said. "And Sacramento is lower cost than the other parts of California, so I could see it happening there."

Local warehouse rents have declined to an average 35 cents per square foot from 37 cents in 2001, CB reports.

"People want to take advantage of those deals," CB's Lyons said.

And, he added, the distributors are probably experiencing a pent-up demand to expand after several years of holding back.

If the retailers are interested in the Sacramento region, "it really is logical," said Southern California retail consultant Dave Wilcox, who does work in the capital area. Sacramento is the true center of the state, he said, where the freeways converge.

San Bernardino, another spot where freeways meet, has amassed a huge amount of warehouse space in the last couple of decades, he noted.

Retailers likely are considering Sacramento because of its growth of houses and retail, he said. The growth in Solano and Yolo counties also could be a factor.

Grocery warehouses likely would come first, he said, given all the discount retailers getting into sales of groceries.

The retail factor: Wal-Mart spokeswoman Amy Hill said she wasn't aware of Wal-Mart's scouting any Sacramento region sites. But as the company grows, it will need more distribution space in California, she added.

In California, the world's largest retailer has 143 Wal-Mart stores -- nine in Greater Sacramento -- one grocery-selling supercenter and 32 Sam's Club stores. Wal-Mart hasn't disclosed its overall expansion goals for California.

Serving those stores are distribution centers of 600,000 to 800,000 square feet in Red Bluff, Porterville and



Apple Valley. The retailer also has a Sam's Club warehouse in Fontana and a pharmacy distribution center in Hanford. Wal-Mart's one supercenter receives groceries from a distribution center in Arizona.

As of next week, Kohl's will have 39 stores in California, including the seven that opened last month in Northern California. This month Kohl's is opening two stores in Fresno, one in Visalia and five in San Diego. The retailer plans to open 11 in the San Francisco area this year.

The stores are served by a 576,000-square-foot distribution center in San Bernardino.

Spokeswoman Tawn Earnest could not comment on whether the company is considering the Sacramento region for another distribution center.

Lowe's operates 53 stores in California, including four in Greater Sacramento. Lowe's plans new stores for Lodi and five other cities in Central California and Southern California.

The company is in the midst of what it calls its most aggressive expansion. It plans 140 stores in its 2004 fiscal year and 150 stores the following fiscal year. California is a target for Lowe's expansion, but Lowe's isn't saying how many stores it will add in the Golden State.

Lowe's operates a 1.2 million-square-foot regional distribution center with 600 workers in Perris in Riverside County. The company will open a distribution center this year in Beaumont, also in Riverside County, for bulky items such as lumber. This type of distribution center tends to measure around 186,000 square feet.

Lowe's spokeswoman Jennifer Smith could not confirm any searches for distribution space in the Sacramento region.

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## SACRAMENTO Business Journal

### EXCLUSIVE REPORTS

From the March 26, 2004 print edition

#### **PepsiCo back for 2nd look**

**Area almost landed Gatorade plant in '03**

**Kelly Johnson**

**Staff Writer**

A global beverage company that yanked a proposed \$50 million bottling plant out of West Sacramento in 2003 might be back.

PepsiCo Inc. of Purchase, N.Y., says it is again considering the Sacramento region as a place to put a Gatorade plant that could employ about 300 people.

Late last summer, after nearly agreeing to take 60 acres in the Port of Sacramento, PepsiCo suddenly mothballed the effort. The new local plant would replace an antiquated one in Oakland.

"We are looking in the region and Sacramento might still be a possibility," said spokeswoman Kori Reed. She works for PepsiCo's Quaker Oats North America division in Chicago, which includes the growing Gatorade brand.

"Like we said last year, we constantly re-evaluate the marketplace and competitive landscape based on current market conditions," she said. Reed said it's too early to speculate on the potential scope of the project or its timeline.

Given the growing demand for Gatorade drinks on the West Coast and elsewhere, it makes sense that Gatorade needs to resume pursuing a new bottling plant in or around California, beverage industry sources said.

Pressured by unions: Last year Gatorade required 60 acres for a plant of 600,000 square feet that could accommodate about 300 workers. It needed a site that could handle major water use and sewer discharges.

Gatorade considered West Sacramento, Mather, Williams and various other places between Stockton and Chico and beyond, said Dave Leatherby, a broker with the Central Valley Industrial Group at Colliers International.

He helped Gatorade with its search for a year before the project was put on hold. He hasn't worked with the company since then.

When the Gatorade plant seemed certain for West Sacramento, the project "was going to be a catalyst to get going on development," Leatherby said. It would be a landmark deal creating a high-profile building for PepsiCo.

But the project encountered pressure from labor unions, which wanted the plant to be built and run by union labor. The Oakland plant is unionized; a Sacramento-area plant wouldn't be, union representatives said last year.

Gatorade has not contacted the Port of Sacramento since last summer, said John Sulpizio, the port's director.

Big market, high costs: Gatorade is said to be talking to state government officials in California, Nevada and Oregon at least.

Choosing California makes the most sense because of market share, population and ease of transportation, said Tom Pirko with Santa Barbara consultancy BevMark LLC.

But it's expensive for businesses to operate in California, given the cost of workers' compensation and other outlays, Pirko said. Don Deary, president of Nor-Cal Beverage Co. Inc. in West Sacramento, agreed.

John Sicher, editor and publisher of the trade publication Beverage Digest, hadn't known that Gatorade is searching for a bottling plant. But he understands the need for one. "The reason Gatorade may be considering another production site can be explained in one word -- growth," he said.

While the U.S. carbonated soft drink business is nearly flat -- it grew by 0.6 percent last year -- Gatorade's retail business grew by 6.3 percent in 2003. That doesn't include sales from vending machines.

"Gatorade," he said, "is really one of the growth luminaries in the U.S. beverage business today."

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Sent Via Facsimile (916) 264-5328

April 22, 2004

Mr. David Kwong  
City of Sacramento  
Planning Department  
2101 Arena Blvd., Room 200  
Sacramento, CA 95834

*Re: Promenade at Natomas Project (POO-033)*

Dear David:

On behalf of Panattoni Development Company, I am writing this letter to express our deep reservations concerning the Promenade at Natomas Project. As you know, our firm has developed the Natomas Gateway Corporate Center project on Arena Boulevard, and is currently developing the Natomas Crossing Business Park project located on Truxel Road. In addition, we are the joint venture development partner with E.J. Plesko & Associates with regard to the Natomas Center project in the Coral Business Center PUD, across the street from the proposed Promenade at Natomas Project. Our firm's responsibility will be the development of the office building component of Natomas Center.

We are very concerned about the major impact that the Promenade at Natomas Project will have upon the viability of our office building project at Natomas Center. The drastic increase in traffic, which will inevitably result from the planned project, will have a significant negative impact upon our ability to attract office tenants for our Natomas Center project. In fact, the current level of traffic congestion in the immediate area is our biggest concern with respect to our project. The impact on circulation in/out and around our site will inevitably make our project less desirable to office tenants. In addition, we are very concerned that the project is inconsistent with the goals of the North Natomas Community Plan. If additional retail development is now desired or required as a result of slow absorption of office land, we recommend alternate locations that would not create an even worse situation at the proposed location.

Thank you for your consideration.

Sincerely,

Michael E. Diepenbrock  
Partner

cc: Gary Stonehouse  
Art Gee

**231**

kwong042204

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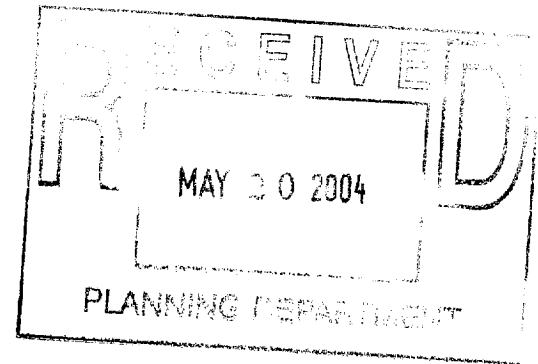
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ATTACHMENT H

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OF COUNSEL  
KATHLEEN R. MAKEL



May 17, 2004

VIA FACSIMILE AND U.S. MAIL

Mr. Greg Bitter  
City of Sacramento Planning Department  
1231 I Street, Suite 300  
Sacramento, California 95814

Re: Promenade at Natomas (P00-033) -- Response to Sandberg & Lo  
Duca Comment Letter and Appeal

Dear Greg:

Taylor & Wiley represents the Opus West Corporation, the applicant for the Promenade at Natomas project ("Project"). As you are aware, on May 4, 2004, attorney Marcus Lo Duca, representing E.J. Plesko & Associates ("Plesko"), a competing developer, filed an appeal of the Planning Commission's approval of entitlements for the Project. The appeal references the letter ("Plesko Letter") submitted to the City on April 21, 2004, the day before the Planning Commission hearing regarding the Project. We reviewed the Plesko letter and believe that the issues it raises are either without merit or have been adequately addressed through the City's thorough environmental review of the Project. The individual issues raised in the Plesko Letter are discussed in further detail below.

1. **The original Coral project was denied because of its inconsistency with the North Natomas Community Plan goals and policies.**

Lo Duca argues that the City should not approve the Project because it would be "unfair" since the City denied Plesko's original proposal for the adjacent 25-acre Coral site in December 2001. (Plesko Letter, pp. 1-2.) However, Lo Duca fails to recognize differences between the Project and the original Coral project and mischaracterizes the City Council's reasons for denying the original Coral project.

Contrary to Lo Duca's repeated assertions, the City Council's December 2001 denial of the original Coral project was not based on the Council's objection to the proposed increase in retail acreage within the NNCP area. Rather, the Council rejected the original Coral project because it would have eliminated the site's Employment Center (EC) designations, which are within a 1/4 mile radius of the proposed future light rail station near the intersection of Truxel Road and Gateway Park Boulevard. The Council was concerned with the elimination of

transit supportive land uses within proximity of proposed transit stations and, perhaps more importantly, the potential loss of federal funding associated with the elimination of such land uses. Put otherwise, it was not concerned with the redesignation to retail *per se*, but rather concerned with the redesignation of the Coral site from Employment Center to retail. The City did establish a precedent that Employment Center designated land near transit stations should not be converted to retail, and the Project is consistent with that precedent. (Planning Commission Staff Report, April 22, 2004, Item #3, Promenade at Natomas ("Staff Report"), p. 7.) Thus, the Project does not raise "precisely the same concerns" as the original Coral project and the City Council's action on the original Coral project in no way suggests the City Council should deny this Project. (Plesko Letter, p. 3.)

**2. The Project is consistent with North Natomas Community Plan goals and policies.**

Lo Duca contends that the proposed project is not consistent with the NNCP for the same reasons the City Council found the original Coral project was inconsistent with the NNCP. (Plesko Letter, pp. 2-3.) However, the current Promenade at Natomas project was formulated after the denial of the original Coral project and was designed to address the concerns raised by the City Council in its denial of the original Coral project. Unlike the original Coral project, the Project would not convert EC designations to retail uses. Rather, the Project would retain the site's existing 30.8 acres of EC-50 uses under the NNCP. By retaining the Project site's EC-50 designation within 1/4 mile of the proposed light rail station, the Project is consistent with the NNCP goals and policies favoring the development of employment-generating uses in close proximity to transit stations and routes. Furthermore, the Project would generate transit ridership to and from its proposed office and retail uses, which would greatly enhance the ability to obtain federal funding for planned transit facilities. (Recirculated Draft Environmental Impact Report ("RDEIR"), p. 7.2-49; Staff Report, pp. 4, 12, 112.)

Moreover, rezoning a portion of the site to retail is consistent with the City Council power center and big box retail policy. (City Council Resolution No. 96-072; Staff Report p. 6.) This policy calls for locating power centers and free-standing big box retail development so as to optimize the benefits and minimize the negative impacts of these centers. The policy requires a study of proposed power center projects to determine the appropriateness of the project location and the project's consistency with the criteria established in the policy. Such a study was prepared for the Project and concluded that the Project location is appropriate and the Project is consistent with the City's adopted power center and big box retail criteria and policies. (Staff Report, p. 6, 246-274.)

**3. There is sufficient market demand for the Project and other planned retail uses in the North Natomas Community Plan area.**

Lo Duca comments that the Promenade project represents poor land use planning and is inconsistent with the City's land use demand study because it would eliminate needed Light Industrial (LI) acreage. Lo Duca argues that the site's LI designations should be retained and that EC-zoned portions of the NNCP should instead be rezoned for retail uses. (Plesko Letter, p. 4.) Lo Duca cites the Sedway Group's NNCP Absorption Study's conclusions that there is too much EC zoning in the NNCP and that Light Industrial uses would absorb quickly. However, Lo Duca also notes that, in light of the excess EC zoning, "[r]etail development is likely the best and most realistic use" of EC-zoned properties. (Plesko Letter, p. 4.) Thus, Lo Duca appears to both criticize the project for creating too much retail development yet conclude that additional retail development should be substituted for EC-zoned lands, which is the same argument Lo Duca made and the City Council rejected when it denied the original Coral project.

Lastly, though Lo Duca recognizes the need for more retail, he claims that the project will undermine the viability of other retail developments that are consistent with the NNCP. (Plesko Letter, pp. 3-5.) However, the market study prepared for the Project indicates that: 1) the Project will provide little competition to established downtown, Arden, and other North Natomas retail establishments, 2) there is sufficient market demand for the Project, existing retail, and planned and proposed retail within North Natomas, and 3) the Project satisfies the requirements outlined in the ERA report for desirable North Natomas retail development. (Staff Report, pp. 18-19, Attachment 4.) Also, Lo Duca's claim that the project would undermine the viability of NNCP-consistent retail development appears to be unfounded given his own acknowledgement of the need for retail development in the area, as discussed above.

**4. The EIR adequately analyzed traffic impacts associated with the Project.**

Lo Duca asserts that the Project environmental impact report ("EIR") relies on stale traffic data that was generated at the time of the release of the original notice of preparation ("NOP") and thus such data does not comply with the California Environmental Quality Act ("CEQA"). He further claims that the following changes occurred since the original NOP and these changes were not addressed in the EIR: 1) the approval of EC retail and residential projects along Truxel Road, 2) circulation changes at Natomas Marketplace, 3) the construction of Kohl's, and 4) the approval of Plesko's Coral Business Center project. (Plesko Letter, pp. 5-6.) In fact, consistent with the requirements of CEQA, these changes were not included under the environmental baseline, but were included under the cumulative effects analysis. Thus, Lo Duca's claimed CEQA violation is without merit.

a. Environmental Baseline.

Under the CEQA, the environmental setting for an EIR is the existing physical conditions at the time the NOP is issued. (14 Cal. Code Regs. ("CEQA Guidelines") § 15125.) In this case, the original NOP for the Project was issued in July 2000 and a revised NOP for the Project was issued in September 2002. Thus, with regard to the project-level analysis of traffic impacts, the EIR need not consider those projects approved at the time of the revised NOP as part of the environmental baseline.

Lo Duca is correct that the EIR's traffic analysis included all projects that were built as of the date of the first NOP, and that the analysis did note that "where some conditions may have changed during the course of this analysis, such changes would have a nominal effect on the analysis, except where noted." (RDEIR, 7.2-2.) However, Lo Duca fails to mention that the additional traffic generating projects and improvements approved during the time between the first and second NOPs were included in the RDEIR's environmental baseline. As noted on page 7.2-19 of the RDEIR:

Existing traffic volumes were adjusted to include traffic from the Goldenland development (approved on June 13, 2000 but not constructed at the time the existing traffic data were collected in 2000). The Goldenland development site is located at the southwest corner of the Gateway Park/Del Paso Road intersection. Other approved projects near by the site are not likely to affect the results of the analysis.

With the exception of the Goldenland development, none of the other projects mentioned in the Plesko Letter existed at the time the second NOP was issued for the Project in September 2002. Therefore, those projects were correctly excluded from the EIR's existing environmental setting. Moreover, because these projects were properly considered in the EIR's cumulative traffic analysis, revising the existing environmental setting to include the projects mentioned in the Plesko Letter would not change the analysis or conclusions related to the Project's traffic impacts.

b. Cumulative Effects.

Lo Duca is correct that the Project's EIR must discuss the cumulative effects of "past, present and reasonably foreseeable probable future projects" and that the projects he listed were reasonably foreseeable at the time the Project's EIR was prepared. (Plesko Letter, p. 6.) However, contrary to Lo Duca's assertions, the projects mentioned in the Plesko Letter were considered in the EIR's cumulative effects analysis, which included all approved developments as well as all future development planned for under the NNCP. To be specific, the referenced approval of EC, retail, and residential projects along Truxel Road, construction of Kohl's, and approval of the Coral Business Center project are all



projects that are consistent with the NNCP land use designations and, therefore, were included in the cumulative traffic analysis. (RDEIR, p. 7.2-37.)

Moreover, some of the changes that have occurred since the publication of the NOP would actually improve impacts over those identified in the EIR. For example, the EIR's cumulative analysis conservatively assumed that all 25 acres of the Coral site would be developed as retail uses, whereas only 8 acres of retail uses were ultimately approved with the Coral Business Center project (RDEIR, p. 7.2-37). Also, the circulation improvements at Natomas Marketplace, which are recommended as a mitigation measure in the EIR<sup>1</sup>, are assumed in the cumulative traffic analysis and have, since their construction, improved traffic conditions more effectively than compared to what was projected in the EIR. (FREIR, p. 3-11.) Thus, the EIR's cumulative impact analysis encompasses all of the "changes" raised in the Plesko Letter and was conservative in its analysis.

**5. The EIR adequately addressed circulation impacts associated with the intersection of Gateway Park Boulevard and North Freeway Boulevard.**

Lo Duca asserts that the EIR failed to adequately analyze circulation impacts associated with the "vastly expanded and improperly located" intersection of Gateway Park Boulevard and North Freeway Boulevard. (Plesko Letter, pp. 7, 9.) To the contrary, the EIR specifically addressed this matter and includes a mitigation measure to reduce circulation impacts at this intersection to a less-than-significant level. (RDEIR, p. 7.2-36.)

**6. The impacts on the proposed light rail extension referenced in the Plesko Letter were studied in the EIR.**

Lo Duca criticizes the City for considering the Project because it would have many of the same impacts on light rail as the Coral project that was rejected in December 2001. Lo Duca notes that the Regional Transit (RT) Board has "selected the Truxel alignment as the Downtown-Natomas-Airport line." (Plesko Letter, p. 8.) He also comments that the EIR "fails to analyze the impact on Light Rail trains from traffic delays at and near the very intersection, Truxel and Gateway Park that was at issue with the Coral project." (Plesko Letter, p. 8.)

Lo Duca's comments with respect to the proposed Truxel Road alignment to the Downtown-Natomas-Airport ("DNA project") light rail line are incorrect for two reasons: a) the DNA project was correctly excluded from the environmental setting discussion in the EIR, and b) the DNA project is considered in the EIR's cumulative analysis.

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<sup>1</sup> Mitigation Measure 7.2-1(d) addresses project impacts to the Truxel Road/Gateway Park Boulevard intersection. It provides, in relevant part: "The four-lane approach to the intersection from the Natomas Marketplace shall be converted to provide a left-turn lane, a combination left-through lane, and two right turn lanes." (RDEIR, p. 7.2-29.) As noted by Lo Duca, this improvement has already been implemented at the Natomas Marketplace.

- a) The DNA project was correctly excluded from the environmental setting discussion in the EIR.

As discussed previously with respect to traffic issues, the environmental setting against which a project's impacts are to be assessed are the existing physical conditions at the time the NOP is issued. CEQA Guidelines § 15125. The DNA project did not exist at the time the revised NOP was issued and was not included as part of the environmental setting, though the EIR did consider the impact of the Project on the proposed light rail alignment under the analysis of cumulative impacts because it was a "reasonably foreseeable probable future project." (RDEIR, p. 7.2-40.) The first NOP for the project was issued in July 2000 and a revised NOP was issued in September 2002. No light rail line existed along Truxel Road at the time the revised NOP was issued, nor does one exist now. Therefore, the EIR need not look at the impact of the Project on the proposed future light rail alignment in its baseline environmental analysis as opposed to cumulative impacts, where the light rail alignment was properly considered.

- b) The DNA project is considered in the EIR's cumulative analysis.

The EIR properly considered the DNA project under its cumulative impact analysis. As indicated on page 7.2-40 of the RDEIR:

Although the cumulative condition would include extension of LRT along Truxel Road from downtown Sacramento to the Sacramento International Airport, it has not been determined on which side of Truxel Road the LRT would be constructed. The exact effects of LRT on traffic operations, under the conditions assumed in this study, are not known at this time. Any future expansion of light rail would require a separate analysis. For this study, it is assumed that the LRT would be located along the west side of Truxel Road. This assumption is supported by the existence of right-of-way for the line and station, as well as 300 park and ride spaces in this location [the southwest corner of Truxel Road and the Natomas Marketplace driveway].

Thus, as indicated in the above language, the EIR assumed that the DNA project would be in place in its cumulative analysis, even though a precise alignment along Truxel Road has yet to be determined. Thus, the Project's impacts to light rail were in fact analyzed in the EIR to the degree feasible.

**7. The infrastructure and financing issues raised in the Plesko Letter are without merit.**

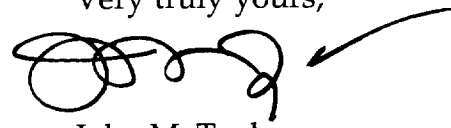
Lo Duca states that there is "no analysis of the impact the Promenade rezone will have on utilizing road/sewer/water capacity constructed or to be constructed by others for use by approved land uses in the NNCP." (Plesko Letter, pp. 8-9.)

Contrary to the comments contained in the Plesko Letter, the EIR included an extensive analysis of Project impacts on public services and utilities, addressing both project-specific and cumulative impacts on: 1) fire protection services, 2) water supply, treatment, and infrastructure, 3) wastewater treatment and conveyance, 4) energy services, and 5) solid waste disposal service. (RDEIR, Chapter 7.5.) The analysis considered whether the Project, in conjunction with existing, approved, and planned development in the North Natomas area would result in a shortage of the necessary public services and utilities. Ultimately, the EIR concluded that all Project and cumulative impacts on public services and utilities would be less than significant. Moreover, regarding Lo Duca's comments with respect to roadway infrastructure, the EIR provided an analysis of both Project and cumulative traffic impacts, as discussed previously in our letter, and recommends mitigation for Project impacts, which would be implemented concurrently with the Project. (RDEIR, Chapter 7.2.)

Lo Duca also raised concerns regarding the Project's participation in the North Natomas Financing Plan. (Plesko Letter, pp. 8-9.) The Project will participate in the Financing Plan and will not result in any deficits in improvements. The EIR addresses the impacts and requires mitigation for Project impacts on roadways and infrastructure. How the mitigation measures are financed, whether by developer construction or through a fee program, is not an environmental issue.

Thank you for the opportunity to comment on this matter. Please let us know if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, with a small arrow pointing to the right.

John M. Taylor

cc: Mayor Heather Fargo  
Councilman Ray Tretheway  
Bob Thomas  
Carol Shearly  
Gary Stonehouse  
David Kwong  
L.E. Buford  
Don Little  
Dan Haug  
Tom Schaal  
Jeff Smith  
Marcus Lo Duca

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**CITY PLANNING COMMISSION  
SACRAMENTO, CALIFORNIA  
MEMBERS IN SESSION:**

**APRIL 22, 2004  
PAGE 1**

P00-033 Promenade at Natomas

**REQUEST:**

- A. ENVIRONMENTAL DETERMINATION:** Environmental Impact Report;
- B. MITIGATION MONITORING PLAN;**
- C. DEVELOPMENT AGREEMENT;**
- D. GENERAL PLAN AMENDMENT** amending the land use designation of 126.4± gross acres from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use;
- E. COMMUNITY PLAN AMENDMENT** amending the land use designation of 126.4± gross acres from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads;
- F. REZONE** from 126.4± gross acres of Agricultural Planned Unit Development (A PUD) to 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD);
- G. PLANNED UNIT DEVELOPMENT ESTABLISHMENT** to establish the Promenade at Natomas Planned Unit Development including the Promenade at Natomas PUD Guidelines and the Promenade at Natomas PUD Schematic Plan, consisting of approximately 751,000± square feet of retail uses and 504,000 square feet of employment center uses;
- H. TENTATIVE SUBDIVISION MAP** to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres;
- I. SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone;

J. **SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.

LOCATION: North of Interstate 80, East of Truxel Road and Gateway Park Boulevard  
APN: 225-0160-086  
North Natomas Community Plan  
Natomas Unified School District  
Council District 1

**APPLICANTS:**

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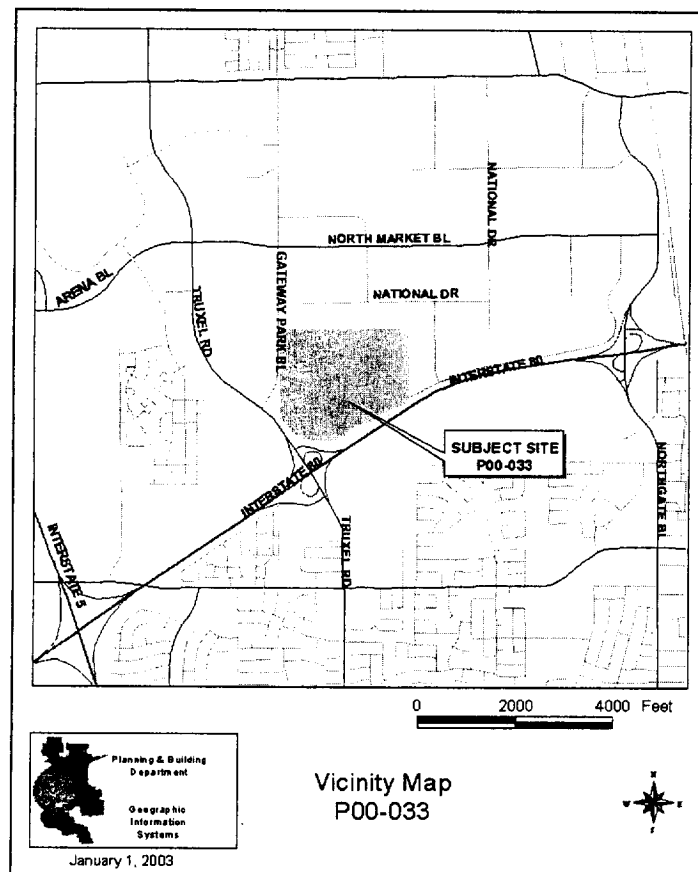
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**APPLICATION FILED:** September 13, 1999

**APPLICATION COMPLETED:** June 7, 2003

**STAFF CONTACT:** Greg Bitter, 808-7816



**SUMMARY:** The applicant proposes to develop approximately 126.4± gross acres of vacant land north of Interstate 80 and east of Truxel Road and Gateway Park Boulevard. The property to be developed by the OPUS West Corporation is known as the Promenade at Natomas Planned Unit Development (PUD). The applicant is proposing to develop a regional retail shopping center on the site as well as an office complex. This proposal establishes the legislative entitlements (General Plan and Community Plan Amendments, Development Agreement, Rezoning, PUD), which are referred to as "first stage" entitlements, as well as Tentative Subdivision Map and Special Permit approvals for the regional retail uses and the employment center support retail uses. Further entitlements (i.e., Special Permits) will be required prior to development of the office buildings.

The applicant is requesting approval of various General Plan and Community Plan amendments, in order to accommodate the proposal. In particular, the applicant is requesting a North Natomas Community Plan amendment to convert approximately 91.25± gross acres of Light Industrial designated land to 80.7± gross acres of Regional

Retail designated land. The employment center portion of the site is consistent with the existing North Natomas Community Plan Land Use designations.

At build-out, the Regional Retail portion of the project will include: 751,000± square feet of regional retail uses, including two (2) big-box retail buildings (100,000 square feet and greater), 13 major retail buildings (between 10,000 and 100,000 square feet), two (2) junior retail buildings (single users, less than 10,000 square feet), eight (8) shop buildings (consisting of in-line retail tenants), 10 pad retail buildings (single and multi-user), 10 "village retail" buildings (forming a pedestrian scale retail village in the center of the site), and one (1) fueling center that is associated with a big-box user. At build-out, the Employment Center portion of the project will include: 504,000 square feet of employment center uses, including two support retail pad buildings and 5 office buildings.

Staff supports the proposed project as the project retains the existing employment center uses while creating a regional retail shopping center. Development of 504,000± square feet of employment center uses, within a 1/4 mile of radius of the planned light rail station, will support and enhance the Community Plan goals and policies and the proposed Downtown/Natomas/Airport Light Rail corridor. The regional retail shopping center is supported by many City goals and policies (see below).

Significant issues pertaining to this project include: 1) conversion of Light Industrial acreage to Regional Retail uses and the potential competitive impacts to the City of Sacramento's other regional retail centers (i.e. Arden Fair Mall and Downtown Plaza). This issue is discussed in the Policy Consideration Section, under the heading City Adopted Regional Retail Policies; 2) significant unavoidable environmental impacts to transportation and circulation facilities, air quality, noise levels and the cumulative loss of biological habitat. These issues are analyzed in the Environmental Impact Report previously made available to the Planning Commission. The issue is also discussed in the Environmental Determination Section of this staff report; 3) staff is requesting the applicant's make provisions to allocate up to 350 park and ride spaces, at the time light rail is constructed, on the employment center portion of the site. The applicant's are objecting to this condition. This issue is discussed in the Planned Unit Development section; and 4) WALKS Sacramento has submitted a letter (see Attachment 5) opposing the change in land use from Light Industrial to Regional Retail. This issue is discussed in the Public/Neighborhood/Business Association Comments section.

**RECOMMENDATION:** Staff recommends approval of the project, subject to conditions in the Notice of Decision. This recommendation is based on the consistency of the project with the General Plan and North Natomas Community Plan policies and land use designation and the Promenade at Natomas PUD Guidelines.

**PROJECT INFORMATION:**

Existing General Plan Designation: Heavy Commercial or Warehouse; Mixed Use  
Existing North Natomas  
Community Plan Designation: Light Industrial; Employment Center 50; major roadways  
Existing Zoning of Site: A PUD  
Existing Land Use of Site: Vacant  
Proposed Land Use of the Site: Regional Commercial (Power Center) and Office  
Surrounding Land Use and Zoning:

North: Industrial – County Land

South: Interstate 80

East: Industrial/Office – County Land

West: Regional Retail and Vacant, SC PUD; EC 50 PUD; EC 80 PUD and HC PUD

Property Dimensions: Irregular  
Property Area: 126.4± gross acres  
Number of Proposed Parcels: 23 regional retail lots, 7 lots for employment center uses (5 office parcels and 2 support retail parcels) and 3 lots for public utility/drainage uses  
Proposed Building Square Footage: 751,000± square feet of regional retail and 504,000± square feet of employment center (office and support retail)  
Topography: Flat  
Street Improvements: Existing and To Be Constructed  
Utilities: Existing and To Be Constructed

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

**Permit Agency**

\*Special Permit (with CEQA review)

Final Map

Transportation Management Plan

Grading, Foundation and Building Permit

Public Improvement Plans

Underground Storage Tank Permit

\*Requires a public hearing

Planning Division

Public Works, Development Services

Public Works, Alternate Modes

Building Division

Public Works, Development Services

County Environmental Health



BACKGROUND INFORMATION: On May 3, 1994, the City Council adopted the 1994 North Natomas Community Plan (Resolution No. 94-259). The Community Plan envisions a new urban form for North Natomas that includes a well integrated mixture of residential, employment, commercial, and civic uses, interdependent on quality transit service and a radial network of connections linking activity centers with streets, transit routes, and linear parkways with pedestrian/ bicycle trails. A Town Center, located at the heart of the community on the east of I-5, serves as the hub of the circulation web and provides a sense of place to the community's residents, workers, and visitors. The Town Center includes civic uses, higher impact Regional Park uses, high density residential, and intense employment centers, anchored at both ends by commercial centers. Fourteen neighborhoods surround the Town Center, each focusing around an elementary school with a variety of housing types and densities and including commercial, civic, transit, and park and open space uses.

On August 9, 1994, the City Council adopted the North Natomas Financing Plan (Resolution No. 94-495). The Financing Plan identifies the public and private land uses within the Community Plan, specifies the public facilities to be constructed or acquired in association with the development of North Natomas, identifies the costs and methods of financing these facilities, and provides for phasing the construction of facilities associated with the market demand for development. Implementation of the Financing Plan will provide assurance that new development will be committed to pay its fair share of the cost of public facilities. Also on August 9, 1994, the Council adopted a Development Agreement form to be used for development requests within the North Natomas Community Plan area.

On February 13, 1996, the City Council adopted Resolution No. 96-072 (M95-043) establishing power center and big box retail policy for the City. The goal of the Power Center and Big Box Retail Policy is to provide a balanced, conscious approach to locating power centers and free-standing big box retail development in the City so as to optimize the benefits and minimize the negative impacts of these retailers on the City, its existing and planned retail uses, and its residents. The Policy required all applications for power center and other large retail projects requiring approval of one or more discretionary land use entitlements under the City's Comprehensive Zoning Ordinance are to be reviewed for consistency with the criteria and policies in the policy.

In 1999, Economics Research Associates prepared three retail market studies that were adopted by the City Council in 2000. Results and recommendations from two of the studies, the Retail Market Demand and Allocation in North Natomas Area study and the Regional Retail Demand Attraction and Development study are pertinent to this project and are discussed below.

Planning Entitlements: With this project, the applicant is requesting approval of the following planning First Stage entitlements: 1) General Plan, Community Plan and Zoning Amendments, and 2) Development Agreement and the following Second Stage entitlements: 1) Establishment of PUD, including PUD Guidelines and Schematic Plan, and 2) Tentative Subdivision Map to subdividing 1 parcel into 23 regional retail lots, 7

lots for employment center uses (5 office parcels and 2 support retail parcels) and 3 lots for public utility/drainage uses.

In addition to these First and Second Stage entitlements, the applicant is requesting the following entitlements: 1) Special Permit for the construction of 751,000± square feet of buildings for retail uses (in the form of a regional retail shopping center), and 2) Special Permit to construct of 14,000± square feet of support retail uses in the Employment Center zone. At this time, the applicant is not requesting Special Permit approval for the office uses depicted on the proposed PUD Schematic Plan. Future development of the offices uses will require Special Permit approval by the City Planning Commission.

Project Description: The proposed project combines a 504,000± square foot office park with a 751,000± square foot regional retail shopping center (power center) on 126.4± gross acres (see Exhibit 1F for the PUD Schematic Plan and attached Exhibits 1H through 1N show the Special Permit site plans for the proposal). The site is located to the northeast of Interstate 80 and Truxel Road/Gateway Park Boulevard. At this time, the office uses within the office park are being approved at the conceptual schematic plan stage only and will not receive special permit approval for the construction of any office buildings. The applicant has requested special permit approval for the support retail portion of the office park (two restaurant pad buildings) with this application.

The original application for this project proposed to change the land use designation on the entire site to Regional Retail and to create a retail shopping center (power center) with approximately 1,500,000± square feet of retail uses. Due to staff opposition and Planning Commission and City Council policy (as established with the Coral Business Center Project (i.e. Target proposal) P99-072), the applicant has modified this proposal to retain the gross acreage of Employment Center designated land and only seek land use changes on the Light Industrial designated land. The current project is consistent with the adopted North Natomas Community Plan for the Employment Center portion of the site). By retaining the Employment Center acreage (with an estimated intensity of 504,000 square feet of employment center uses), this project will support transit (specifically Light Rail) along Truxel Road. The applicant has request Special Permit approval for the two support retail parcels, with a total of 14,000± square feet of restaurant uses (approximately 420 seats), within the Employment Center site.

The regional retail shopping center is comprised of two distinct areas that are bisected by North Freeway Boulevard. Table 1 (Retail Tenant Square Footage) provides a breakdown of building location, type and size for the retail portion of the project.

To the north of proposed North Freeway Boulevard are more traditionally oriented retail uses, laid out along the northern and eastern border of the site, including two major anchor tenants (one with a garden center and one with an associated fueling station), seven major retail tenants (from 10,000 to 100,000 square feet), two junior retail tenants (under 10,000 square feet), four single or multi-tenant shop retail buildings, and six pad retail buildings. This area includes 506,000± square feet of retail uses and 39,700± square feet of restaurant uses (with approximately 1,191 seats). The perimeter buildings

(along the north of the site) are fronted by wide sidewalks (between 20 and 35 feet wide) with pedestrian amenities (benches, trellis shade structures, etc.), that link these buildings from the west to the east. In addition, six enhanced pedestrian paths link the perimeter buildings with the pad buildings along North Freeway Boulevard and to the major intersections along North Freeway Boulevard. These paths are to link the larger retail users with the Pedestrian Oriented Village .

To the south of proposed North Freeway Boulevard the retail center is oriented in a pedestrian village format and includes five major retail tenants (from 10,000 to 100,000 square feet), two single or multi-tenant shop retail buildings, two pad retail buildings and 10 village retail shops. The village retail shops are oriented parallel to each other and form a pedestrian promenade that runs from the northwest intersection of North Freeway Boulevard and Loop Street to the southerly shops (S7 and S8, on the attached site plan, Exhibit 1). This Pedestrian Village area includes 133,000± square feet of retail uses and 72,650± square feet of restaurant uses (with approximately 1,2181 seats). The entire southern portion of the site is designed around the pedestrian promenade in order to promote pedestrian use. The pedestrian promenade is approximately 1,100 feet in length and provides both shopping and eating opportunities as well as pedestrian amenities (i.e. places to congregate with benches, chairs etc.). This long pedestrian promenade ties into the wide sidewalks that front the larger retailers at the southern portion of the site.

**Table 1**  
**Retail Tenant Square Footage**

<u>Building</u>	<u>Maximum Square Footage</u>
<b>Northern Center</b>	
Anchor A1 (including garden center)	134,700
Anchor A2	135,000
Kiosk A2.1 (Fueling Station for A2)	200
Major M1	25,000
Major M2	16,800
Major M3	32,000
Major M4	18,000
Major M5	35,000
Major M6	12,000
Major M7	34,000
Junior J1	7,500
Junior J2	9,100
Shops S1	20,400
Shops S2	4,200
Shops S3	15,200
Shops S4	6,900
Pad P1	8,700
Pad P2	6,500

Pad P3	6,500
Pad P4	5,000
Pad P5	6,500
Pad P6	6,500
<b>Pedestrian Oriented Village</b>	
Major M8	30,000
Major M9	20,000
Major M11	25,000
Major M12	19,000
Major M13	10,000
Shops S7	9,000
Shops S8	12,000
Village Shops V1	10,900
Village Shops V2	6,000
Village Shops V3	9,400
Village Shops V4	5,000
Village Shops V5	6,000
Village Shops V6	6,000
Village Shops V7	7,000
Village Shops V8	7,000
Village Shops V9	5,000
Village Shops V10	5,000
Pad P7	6,500
Pad P11	6,500
<b>Employment Center (Support Retail)</b>	
Pad P9	7,500
Pad P12	6,500
<b>Total Square Footage Allowed</b>	<b>765,000</b>

Vehicular access to the site will be from the existing Gateway Park Boulevard to the west and the existing North Freeway Boulevard to the east. A signalized intersection will be constructed at the main entrance along Gateway Park Boulevard. In addition, there are two right-in/right-out driveways on Gateway Park Boulevard, located north of the signalized intersection. North Freeway Boulevard begins at the entrance of the site (at Gateway Park Boulevard) as a six lane road and reduces to a four lane road at the most westerly interior signalized intersection and then to a two lane road at the most easterly signalized intersection. On-street bicycle access is provided through the site along North Freeway Boulevard and off-street bicycle access is provided at the southern portion of the site just along the proposed drainage basin and existing RD-1000 canal. The off-street bicycle path links North Freeway Boulevard at the eastern end of the site to Truxel Road at the Western end of the site. The site plan has been designed to accommodate the northern portion of a bicycle/pedestrian bridge that would link South Natomas to

North Natomas over Interstate 80 if the ultimate location of the bike bridge is determined to be appropriate at this location.

The construction of a detention basin and associated pump station are proposed at the southern portion of the site adjacent to the Interstate 80 right-of-way. There is an existing RD-1000 canal that will also be utilized along the southern boundary of the site.

The applicant is also required to participate in the North Natomas Financing Plan to contribute to the funding of roadway improvements, other infrastructure and community facilities within the community plan area. Development impact fees related to public facilities, transit, habitat conservation, schools, and public land acquisition will be paid or financed at the issuance of building permit.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

1. Development Agreement

The standard Development Agreement format, approved by the City Council on August 9, 1994, (Resolution No. 94-494), has been used by the applicant and the exhibits have been provided for the specific project. The Ordinance and Development Agreement for this project are included with this staff report (Exhibit 1B). The applicant has coordinated with the City Attorney's Office to complete the Development Agreement. Planning staff recommends the Planning Commission recommend approval of the Development Agreement and forward it to the City Council.

2. General Plan and North Natomas Community Plan Policies

The proposed project includes amendments to the General Plan and the 1994 North Natomas Community Plan. The General Plan Amendment will change approximately 95.6± acres of the 124.6± acre site from Mixed Use to Regional Commercial and Offices. The North Natomas Community Plan Amendment will change approximately 95.6± acres of the 124.6± acre site from Employment Center 50 to Regional Commercial. Also included below is an analysis of how the project, with the General Plan and Community Plan amendments will be consistent with General Plan and 1994 NNCP goals and policies.

**General Plan**General Plan Amendment

The proposed project is 126.4± gross acres in size. The existing and proposed General Plan Land Use Designations are provided below in Table 2 (and see Exhibit 1C).

**Table 2**  
**Existing and Proposed General Plan Designations**

<b>General Plan Designation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Difference</b>
Mixed Use	30.8	30.8	0
Heavy Commercial or Warehouse	95.6	0	-95.6
Regional Commercial and Offices	0	95.6	+95.6
<b>Total</b>	<b>126.4</b>	<b>126.4</b>	<b>N/A</b>

Planning staff supports the proposed General Plan Amendment as the project is consistent with the proposed North Natomas Community Plan amendment.

By following the Community Plan policies, the Promenade at Natomas PUD guidelines and the conditions of this project, this proposal will support the General Plan policies relating to quality of life, the local economy, new growth areas, transportation, natural resources and open space and regional transit. Specifically the project supports the following General Plan goals and policies:

- Enhance and maintain the quality of life by adhering to high standards for project plan and evaluation, such as protection of the urban and natural environment, improved air quality, and quality design (p. Sec. 1-30).
- Actively promote the continued vitality and diversification of the local economy, and to expand employment opportunities for City residents (p. Sec. 1-31).
- Approve development in the City's new growth areas that promotes efficient growth patterns and public service extensions, and is compatible with adjacent development. (p. Sec. 1-32).
- Promote efficient, safe, and balanced transportation systems (p. Sec. 1-34).
- Conserve and protect natural resources and planned open space areas, and to phase the conversion of agricultural lands to planned urban uses (p. Sec. 1-35).

- Support a well designed light rail system which will meet future needs and complement the regional transit system (p. Sec. 5-18).

### **North Natomas Community Plan**

#### Community Plan Amendment

The proposed project amends the North Natomas Community Plan Land Use Map as shown in Exhibit 1D and Table 3, below.

**Table 3**  
**NNCP Land Use Comparison Chart**

<b>NNCP Land Use Designation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Difference</b>
Employment Center 50	30.27 acres	26.02 acres	-4.25 acres
Heavy Commercial or Warehouse	91.25 acres	0 acres	-91.25 acres
Regional Commercial and Offices	0 acres	80.7 acres	+80.7 acres
Parks/Open Space	0 acres	8.6	+8.6 acres
Major roads	4.88 acres	11.08 acres	+6.2 acres
<b>Total</b>	<b>126.4</b>	<b>126.4</b>	<b>N/A</b>

Note: This project does not decrease the developable acreage of Employment Center uses. There is an increase of 14.8± acres of Parks/Open Space and major roads (necessary to provide for storm water detention and the transportation system). The developable acreage of Employment Center land would be reduced for roadways and drainage regardless of the change in land use on the remaining portion of the site.

Staff supports the proposed project, as the project meets the policies of the 1994 North Natomas Community Plan (NNCP).

The project supports the following North Natomas Community Plan policies:

- Employment Center: Designate Employment Centers along the light rail corridor, along both sides of Interstate 5, and elsewhere in the community in order to provide flexible, mixed-use employment centers that serve the needs of major employers and employees (p.19). Create mixed-use Employment Centers by allowing major employers and permitting support uses such as retail, residential, and light industrial uses in the EC designation (p.19). Locate the highest intensity EC uses along the light rail corridor to encourage an interdependence between the transit service and land uses (p.19). Encourage further intensification of EC uses within 1/8 mile of the light rail stations once funding the construction of the light rail extension is assured (p.19). Decrease the need for off-site auto trips during the day by requiring support retail within each EC PUD (p.19). Maintain or improve the 1986 jobs/housing ratio of 66 percent in the City

portion of the North Natomas Community Plan area (p.19).

- Commercial: Provide commercial facilities that meet the daily and weekly needs of and are convenient to North Natomas residents, workers, and visitors (p. 25). Provide convenient access from the community to the two existing regional commercial centers, Downtown Plaza and Arden Fair Mall. Careful consideration should be given prior to designating a site for a regional commercial center as there may be insufficient retail demand to establish a new regional center without diminishing the health of the two existing centers. Care should be taken to encourage tenant types that will not compete with the existing regional centers (p. 25). Confine commercial to designated sites to avoid strip commercial (p. 25). An additional requirement of the Commercial section of the 1994 NNCP in the requirement of a Market Study, specifically the NNCP states: "A feasibility study and apportionment study is required during the Special Permit entitlement process for a proposed commercial project that is not designated for commercial use. This review is designed to ensure that the site is feasible for the commercial use and does not contribute to too much commercial area in the community. Incentives should be provided to commercial developers who propose to develop within the first five years of build-out to foster the provision of retail goods and services at the beginning of residential development". See below for a discussion on the submitted Market Study.
- Circulation: Link all land uses with all modes of transportation (p. 38). Connect, don't isolate, neighborhoods and activity centers with a well-designed circulation system (p. 38). Encourage an orderly development pattern through phasing that provides for adequate local circulation resulting in completion of the community-wide circulation system (p. 38). Minimize air quality impacts through direct street routing, providing a support network for zero-emission vehicles, bicycles, and pedestrians, and sizing streets suitable to the distance and speed of the traveler (p. 38). Provide multiple routes and connections to adjacent developments (p. 38).
- Vehicular Street System: Size and layout of the major street system should be based on traffic projections that assume successful implementation of trip and emission reduction programs (p. 38). Develop street cross-sections that encourage all streets to be as pedestrian friendly as possible (p. 38).
- Transit System: Provide a hierarchy of transit service including light rail, express buses, local buses, and shuttle buses (p. 41). The light rail and express bus systems serve the inter-community transit needs; the local bus system serves the inter-neighborhood needs; and the local shuttle serves the intra-neighborhood needs (p. 41). Provide a concentration of density at each phase to support appropriate transit service. Design for a phased implementation of transit corridors to accommodate intermediate stages of



land use development. Maximize rider access to transit stops and stations (p. 41).

- Pedestrian: Provide a system of on-street bicycle routes and off-street bicycle paths that connect all residential neighborhoods with activity centers in order to increase the likelihood of a person choosing the bicycle as a commute mode (p. 46). Create pedestrian circulation opportunities and avoid impeding pedestrian or bicycle circulation with private development (p. 46). Provide attractive recreational opportunities for bicyclists and pedestrians (p. 46).
- Air Quality: The Air Quality Mitigation Strategy shall have as a goal a 35 percent community-wide daily reduction in vehicle and other related reactive organic compound emissions at buildout (p. 48). The base on-road vehicle emission level prior to reduction will be established from an all-single occupancy vehicle (SOV) condition. Structure the community and each development to minimize the number and length of vehicle trips (p. 48).
- Parking: Parking standards should be set to reasonably accommodate employees and clients for whom alternate mode commuting is not a realistic option (p. 49). Parking standards must recognize the capacity of transit service and alternative mode commute options and the availability of off-site, on-street parking facilities (p. 49). Parking standards must maintain the economic viability of the development and should not place any geographic area at a competitive disadvantage (p. 49). Parking standards must protect residential neighborhoods (p. 49). Parking standards should include provisions for charging electric vehicles and electric shuttle buses, as well as appropriately sized parking spaces (p. 49). Sufficient electric service must be provided in parking areas to support the electric transportation needed to be consistent with the air quality requirement of each development (p. 49).
- Open Space: Promote healthy urban landscapes to enhance the quality of life in the community for the long term by conserving natural resources, improving air quality, providing biodiversity, and strengthening a sense of place (p. 58). A Habitat Conservation Plan (HCP) shall be developed in coordination with SAFCA, State Fish and Game and US Fish and Wildlife to protect vegetation and wildlife from the impacts of urbanization (p. 58 – see below for further policy discussion).
- Housing Trust Fund: Non-residential development in North Natomas will comply with the Citywide Housing Trust Fund Program outlined in the Sacramento City Code, Chapter 17.188 [Housing Trust Fund (HTF) Program] (p. 77).

**Jobs/Housing Policies**

As mentioned in the previous section, the North Natomas Community Plan (NNCP) includes a policy to maintain a jobs/housing ratio of 66 percent for the City portion of the Community Plan area. This ratio is a tool used to gauge the relative balance of jobs and housing units within the community. The NNCP provides calculations to determine the number of jobs per net acre and/or square footage for each land use designation. The estimated number of jobs created for Regional Retail uses is 30 employees per net acre and for Light Industrial uses is 20 employees per net acre. The proposed project, if approved, will redesignate approximately 80± acres of Light Industrial uses to Regional Retail uses, therefore, creating approximately 800 more jobs (80 acres x 10 more employees per net acre). The Regional Retail portion of the site is estimated to create a total of 2,400 jobs.

In addition to the Regional Retail uses, the proposed Schematic Plan includes 504,000± square feet of Employment Center uses. Based on calculation provided in the NNCP, 504,000± square feet of Employment Center 50 uses would equate to 1,680 employees (based on one employee per 300 square feet of office building). Using the acreage calculations from the NNCP the target intensity of the site is approximately 405,300 square feet of offices uses, or 1,351 jobs. Because the site is within 1/8<sup>th</sup> mile of a proposed light rail station, the applicants have intensified the employment center portion of their site to increase the potential ridership on the light rail system.

The proposed project (both Regional Retail center and Employment Center) will result in approximately 4,080 jobs, while the target number of jobs with the existing NNCP designations would be 2,951 jobs (based on acreage and NNCP calculations).

The applicant has provided a Retail Center Market Study, prepared by Bay Area Economics (BAE), as justification for the proposed project (see Attachment 4 and discussion below). This study indicates that the employment center portion of the site would create 2,000 jobs and the retail portion of the site would generate 1,500 jobs. BAE's conclusions indicate fewer total jobs than the estimates based on the NNCP, however, the study does indicate approximately 550 more jobs will be created than under the existing NNCP designations.

**Habitat Conservation Plan (HCP):**

The 1994 North Natomas Community Plan required the development and implementation of a Habitat Conservation Plan as mitigation for development in North Natomas. In 1997, the NBHCP was approved by the City of Sacramento, USFWS, and CDFG.

The NBHCP is a conservation plan supporting application for incidental take permits (ITP's) under Section 10(a)(1)(B) of the Endangered Species Act and under Section 2081 of the California Fish and Game Code. The purpose of the NBHCP is to promote biological conservation while allowing urban development and continuation of agriculture within the Natomas Basin. The NBHCP establishes a multi-species conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the NBHCP is to preserve, restore, and enhance habitat values found in the Natomas Basin.

To support the issuance of an ITP, an Environmental Assessment was prepared by the USFWS for the National Environmental Policy Act requirement and a Negative Declaration was prepared by the City of Sacramento for the California Environmental Quality Act (CEQA) requirement. The USFWS and CDFG issued ITP's to the City of Sacramento. The NBHCP and ITP were subsequently challenged, and on August 15, 2000, the United States District Court, Eastern District, ruled that the ITP was invalid and an EIS was required for the project. Based on this ruling, the City of Sacramento and Sutter County jointly prepared a revised NBHCP and an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for use by the USFWS and CDFG. The USFWS is the lead federal agency for the preparation of the EIS and the City of Sacramento and Sutter County are co-lead agencies for the preparation of the EIR. The Sacramento City Council adopted the revised NBHCP and EIR/EIS on May 13, 2003. On June 27, 2003 the USFWS issued a new Incidental Take Permit for the NBHCP for development within the Natomas Basin. This project is subject to the requirements of the revised HCP/ITP.

#### **Smart Growth Principles:**

"Smart Growth" is a term coined by the United States Environmental Protection Agency (USEPA) as an umbrella term for the many initiatives intended to address some of the negative consequences of urban sprawl. Smart Growth generally occurs when development patterns are sustainable and balanced in terms of economic objective, social goals, and use of environmental/natural resources. The following Smart Growth principles apply to the proposed project:

- Mixed land use
- Multi-modal transportation and land use patterns that support walking, cycling, and public transit
- Streets designed to accommodate a variety of activities. Traffic calming.
- Planned and coordinated projects between jurisdictions and stakeholders

The proposed project has been designed to incorporate many of the Smart Growth Principles listed above.

### **City Adopted Regional Retail Policies**

As stated above, since the adoption of the 1994 North Natomas Community Plan, the City Council has adopted several policies related to retail development included within the Power Center and Big Box Retail Policy, the Retail Market Demand and Allocation in North Natomas Area study and the Regional Retail Demand Attraction and Development study. In addition to these policies, the North Natomas Community Plan requires a feasibility study and apportionment study during the Special Permit entitlement process for proposed commercial projects that are not currently designated for commercial use.

The Power Center and Big Box Policy provides design criteria to evaluate proposed Power Center developments. The proposed project complies with the following design criteria from the Power Center and Big Box Retail Policy: 1) plan the center as a comprehensive unit; 2) design buildings at a human scale (include amenities such as benches, kiosks, etc.); 3) design the center to be as transit compatible as possible; 4) provide effective on-site pedestrian/ bicycle links to eliminate internal auto trips; 5) break up large expanses of parking with landscaping and walkways; 6) include landscaped open spaces within the design of the project; and 7) provide a coordinated sign program.

The Regional Retail Demand Attraction and Development study, prepared by Economic Research Associates (ERA), includes eight recommendations supporting retail development in the City of Sacramento. These recommendations, found in Table II-3 of the study, are: 1) Encourage entitlement of North Natomas Community Plan retail centers and commence construction in the very near future; 2) Stimulate Westfield/Taylor Downtown Plaza/Lot A/K Street revitalization negotiations and approvals; 3) Encourage Arden Fair mall repositioning and expansion; 4) Negotiate to blend the Railyards proposal with the Downtown Plaza retail mix; 5) Continue to encourage and stimulate office clustering in downtown, keeping and increasing office employee concentrations; 6) Schedule and construct access improvements for North and South Natomas, North Sacramento and Downtown Sacramento; 7) Initiate land assembly on K Street to stimulate retail and commercial revitalization; and 8) Select desirable and differentiated true regional retail specialties for Natomas area freeway frontages.

The Retail Market Demand and Allocation in North Natomas Area study, prepared by ERA, also includes policy issues/recommendations. These policy issues/recommendations, found in Section VI of the study, are: 1) The development of community centers at the Del Paso Road sites do not directly threaten existing South Natomas retail in its several clusters, especially along the Northgate corridor. Note also that only one-half of South Natomas retail entitlements have been built to date; about 1.0 million square feet of potential retail floor space has not been built in South Natomas; 2) The development of interior community-scale centers does not immediately further congest the I-80

ramps at the primary arterials; 3) Exercise of community center development permits in North Natomas is consistent with the allocation of such land uses already defined in the community plan; 4) Near-term development of community-scale centers at the appropriate locations defined in the Community Plan will give the City additional time to evaluate the potential for region-serving specialties which may be appropriate during the next decade along the I-80 corridor. This would be a circumstance superior to simply allowing one "more of same" power center or centers; 5) The careful allocation of community retail centers by the City, according to the North Natomas Community Plan, helps to direct and support the use of the existing "Employment Center" (EC) land use designations which are intended to host new employment generation; 6) Employment Center designations should not be flipped toward retail uses unless significant long-term sustainable regional retail attractions become unique opportunities because of the freeway adjacent locational opportunities; 7) Allocation and approval of appropriately placed community-scale retail centers recognizes the reality of supporting the oncoming new residential communities in North Natomas. It also recognizes the continuing change in retail floor space development outside of the City of Sacramento. If the community is to achieve high quality new residential districts which create and hold viable identities, it is imperative that the retail allocation system work to support the quality of those residential neighborhoods; and 8) Public improvements and infrastructure investments will be necessary in the near term (by 2005) if the North Natomas Community Plan is to be effectively implemented. This is particularly so for the additional freeway access and freeway crossing improvements. Such improvements will support the employment centers, residential neighborhoods and community retail centers.

The applicant's have prepared a retail market study (Attachment 4) that analyzes the proposed project in relation to the findings of the two City studies described above. This report is the professional opinion of the applicant's consultant, Bay Area Economics. The applicant's study purports to update these prior report's assessments of the demographic and competitive conditions in the retail trade area. The applicant's study concludes that; 1) the proposed project will compete with existing retail centers in North Natomas, but will not have an adverse effect on the success of these centers due to adequate market support (i.e. population in the trade area), 2) the proposed project will not compete with the Arden area (specifically the Arden Mall) or the Downtown Plaza/K Street Mall due to the difference in tenant mix and trade area, 3) there is sufficient demand to support this additional retail in North Natomas, 4) the proposed project conforms to the findings and recommendations provided in the ERA studies.

At the time the City commissioned the Retail Market Studies there was concern that introduction of an additional regional retail power center would prevent or delay the development of the community and village commercial sites in North Natomas. It was thought that a new power center would include tenants that would directly compete with the smaller scale shopping centers, thus acting to "intercept" potential customers. Since the time of these studies, residential growth

in North Natomas has increased beyond planned estimates. The City commissioned studies anticipated 1,000 new homes would be constructed in North Natomas per year from 2000 to 2005. In actuality, there have been approximately 2,000 to 2,500 homes built per year since 2000. This rapid increase in population has resulted in an increase in retail development. Currently, the Park Place community retail center is close to build out, the Town Center community retail center is under construction, one village commercial shopping center (on Arena Boulevard/west of Interstate 5) has received all necessary planning entitlements, four employment center support retail developments have been constructed, and the City is processing the special permit entitlements for three village commercial, one convenience commercial and two employment center support retail sites. These projects have been under construction and/or City review during the time the Promenade application has been in process. The community commercial site at the southwest corner of Del Paso Road and El Centro Road is located on property that does not have first stage entitlements and, to date, there has been no application to develop this site. Staff's opinion is that development of a new regional retail power center will not prevent or hinder development of the existing commercial sites in North Natomas.

#### B. Rezone

When the NNCP was adopted by City Council in May 1994, no rezoning was approved at that time. Property owners must rezone their property to be consistent with the community plan at the time of first stage entitlements. The proposed project, requests land use entitlements to bring the zoning into conformity with the proposed Community Plan land use designations. Exhibit 1E and Table 4, below, shows the existing and proposed zoning designations.

**Table 3**  
**Existing and Proposed Zoning Designations**

<b>Zoning Designation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Difference</b>
Agriculture Planned Unit Development (A PUD)	126.4 acres	0 acres	-126.4 acres
Shopping Center Planned Unit Development (SC PUD)	0 acres	89.6 acres	+89.6 acres
Employment Center 50 Planned Unit Development (EC-50 PUD)	0 acres	28.12 acres	+28.12 acres
Agriculture - Open Space (A-OS)	0 acres	8.6 acres	+8.6 acres
<b>Total</b>	<b>126.4</b>	<b>126.4</b>	<b>N/A</b>

As stated above, the proposed zoning designations will bring the project site into conformance with the proposed amendments to the North Natomas Community Plan Land Use Designations.

C. PUD Guidelines and Schematic Plan Establishment

Each project in the North Natomas Community Plan area shall be designated as a Planned Unit Development and shall include a Schematic Plan and Development Guidelines for each PUD. The applicant is requesting to establish the Promenade at Natomas Planned Unit Development on the 126.4± acre site (Exhibit 1F). The Promenade at Natomas PUD will be comprised of PUD Guidelines and a PUD Schematic Plan. The PUD Guidelines will provide regulations and standards for the uses to be located on the site. The PUD Schematic Plan will establish intensities and types of uses for the PUD.

Staff is recommending a condition be placed on the PUD resolution that would require future development of the Employment Center (office) portion of the Schematic Plan to allocate up to 350 parking spaces to be used as park-n-ride spaces at the time the Downtown/Natomas/Airport Light Rail corridor is constructed and operational. This condition is subject to further City review at the time of Special Permit application and will ask the applicant and Regional Transit to maximize the use of shared parking arrangements. For dedicated park-n-ride spaces, compensation by Sacramento Regional Transit should be determined on the basis of fair market value. At the time of the writing of this staff report a consensus has not been reached as to the final wording of this condition.

Sacramento Regional Transit (RT) staff have identified the need for approximately 2000 park-n-ride spaces to be located between the proposed West El Camino light rail station (in South Natomas) and the proposed Commerce Parkway light rail station (in North Natomas). RT staff are evaluating four design alternatives that attempt to predict the proper allocation of park-n-ride spaces at each of the seven proposed light rail stations along this corridor. The current estimated baseline demand for park-n-ride spaces at the Promenade site is 491. The Market Place shopping center currently has 50 allocated park-n-ride spaces and is required to provide 325 more once the light rail line is constructed (a total of 375). Planning staff believes it is appropriate to require the applicant of this project to provide up to 350 future park-n-ride spaces in order to ensure the success of the Downtown/Natomas/Airport Light Rail corridor and also provide the flexibility to encourage the development of the employment center site.

**PUD Guidelines**

The applicant has submitted PUD Guidelines for the Promenade at Natomas PUD. The PUD Guidelines must be consistent with the North Natomas Development Guidelines (NNDG). The PUD Guidelines are organized under the following headings; Purpose and Intent, Procedures for Approval, Procedures for Amendment, Permitted Uses, Environmental Standards, Building Standards, Issuance of Building Permits and Building Occupancy. In addition to these

sections, the PUD Guidelines includes Appendix A – Signage Guidelines, which contain detailed sign guidelines for the project.

Points of interest in the PUD Guidelines include descriptions of the three architectural zones and the five Landscaping zones.

The PUD is divided into three general themed areas according to uses.

Architectural Zone 1: Is located at the southwest corner of the PUD and contains the employment center uses. Its location at the intersection of Interstate 80 and Truxel Road provides a key opportunity to establish a high quality image for the entire PUD. The goal of this zone is to create a sophisticated, contemporary corporate environment. The primary buildings (over 15,000 s.f.) should be articulated with broad gestures of metal, concrete, masonry, and/or glass. Traditional building forms are discouraged for primary buildings.

Architectural Zone 2: Is located in the central portion of the site and extends to Interstate 80 at the south and is bounded by the employment center uses to the west and North Freeway Boulevard to the east. This zone was identified above as the Pedestrian Oriented Village area. Buildings in this zone create a pedestrian scale area of retail shopping and food uses. This area provides vehicular access and parking at its perimeter, while excluding or limiting internal vehicle access. The tenants in the Promenade area will generally be of a smaller type with the potential of medium sized “anchor” tenants. This area will provide opportunities for social gathering related to the restaurant and shopping provided.

Architectural Zone 3: Is located the north and east portions of the PUD entirely north of North Freeway Boulevard. This zone was identified above as the more traditional big box retail shopping center area. This zone has contemporary elements in common with the other two zones but also reflects the more festive characteristics of its retail use and shall accommodate a hierarchy reflecting the promotional value of each tenant.

The PUD has also been divided up into five landscaping zones:

Landscaping Zone 1: Gateway Park Boulevard:

Location: The roadway that defines the western boundary of the PUD.

Concept: This area establishes one of the initial views of the project, and provides an introductory image for the project. The plantings shall include tree plantings similar to the west side of Gateway Park Boulevard.

Landscaping Zone 2: Main Entrance Road

Location: Main public roadway between Gateway Park Boulevard and the first intersection.

Concept: This is the major entry to the PUD, and therefore requires a strong, integrated design of landscaping, lighting, and graphics to create a distinct image



for the project. Double rows of tree plantings are encouraged.

Landscaping Zone 3: Loop Road

Location: The public road within the PUD.

Concept: The primary purpose of this zone is to effectively merchandise retail and restaurant uses. Primary planting shall be turf, groundcover, and low shrubs. Street trees in front of retail buildings shall be minimized. Accent trees and plantings shall be provided at driveway entrances.

Landscaping Zone 4: North and East Boundary

Location: The North and East PUD boundary.

Concept: This zone provides an overall backdrop to the PUD and consists primarily of vertical screen trees.

Landscaping Zone 5: 100' Freeway Setback

Location: South PUD boundary fronting Interstate 80 freeway.

Concept: This zone establishes the public image against the freeway. This area may include trees, shrubs, turf, and groundcovers plus detention and storm water quality basins developed as seasonal water feature amenities for the project.

Appendix A to the PUD Guidelines (Exhibit 1F) contains the Signage Guidelines for the proposed PUD. The sign guidelines are organized into three sections; General Criteria, Freestanding Signs and Wall Signage. The project includes two pylon signs (located along the freeway), two entry monument signs (at the North Freeway/Gateway Park entry) and eleven multi-tenant monument signs (located throughout the project). In order to ensure all signage is consistent with these guidelines, the project is conditioned to require final staff approval prior to issuance of all sign permits. Overall, staff is supportive of the attached signage guidelines, as there has been an overall reduction in the amount of allowed signage compared to the guidelines originally submitted.

## **PUD Schematic Plan**

The proposed Schematic Plan for the Promenade at Natomas PUD is consistent with the amended Community Plan designations, zoning designations and PUD Guidelines for the project site.

The Promenade at Natomas PUD is proposed to include an employment center office complex and a regional commercial shopping center. The PUD is divided into three zones (as described above in the architectural zone discussion).

Zone 1 (located south of North Freeway Boulevard and west of the Loop Street) is comprised of 504,000± square feet of employment center uses. The proposed schematic plan shows five office buildings (between 90,000± and 120,000± square feet in size) and two retail pad buildings. The retail pads are anticipated to

be restaurant users. It is probable that, as special permit applications are submitted for this zone, there will be modifications to the building layout and orientation (requiring PUD Schematic Plan amendments). Staff has already indicated to the applicant that improved pedestrian connections will be required. The existing layout does not provide appropriate pedestrian connections from the zone to the proposed light rail corridor. In addition it will be important to provide good pedestrian connections through the office site in order to allow pedestrian access from the shopping center zones to the proposed light rail corridor.

Zone 2 (located south of North Freeway Boulevard and east of Zone 1) is comprised of 205,560± square feet of regional retail uses. This zone is oriented in a pedestrian village format and includes five major retail tenants (from 10,000 to 100,000 square feet), two single or multi-tenant shop retail buildings, two pad retail buildings and 10 village retail shops. A description of this zone is provided above, in the Background Section of this report.

Zone 3 (located north of proposed North Freeway Boulevard) is comprised of 545,700± square feet of regional retail uses. This zone is a more traditionally oriented retail center, laid out along the northern and eastern border of the site, including two major anchor tenants (one with a garden center and one with an associated fueling station), seven major retail tenants (from 10,000 to 100,000 square feet), two junior retail tenants (under 10,000 square feet), four single or multi-tenant shop retail buildings, and six pad retail buildings. A description of this zone is provided above, in the Background Section of this report.

In addition to the uses within the zones, a detention basin and RD-1000 canal are located at the southern boundary of the site. The PUD is being conditioned to provide up to 350 park and ride spaces, on the Employment Center portion of the site, at the time light rail is constructed. There are six pedestrian walkways that connect the retail buildings in the northern section (Zone 1) to North Freeway Boulevard. These pedestrian linkages connect the larger Tenants to the sidewalk along North Freeway and to the two internal signalized intersections, allowing connection to Zone 2 (the pedestrian oriented village). There is a 1,100± foot pedestrian promenade that runs the length (north to south) of Zone 2 connecting the shops to the larger retail tenants at the southern end of the center. Wide sidewalks (20 to 35 feet) are provided along the front of all the anchor and major tenants. On street bicycle facilities are provided along North Freeway Boulevard and an off-street trail is provided along the detention basins and the RD-1000 canal.

#### D. Tentative Subdivision Map Design

The Tentative Map for the Promenade at Natomas PUD Schematic Plan (see Exhibit 1G) area subdivides one existing parcel into 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center

uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres.

#### Traffic and Transit

Circulation: The project site would be served by several facilities currently existing and proposed. A description of these is provided below:

*Interstate 80* provides regional east-west access to the project site. This freeway intersects with both Northgate Boulevard and Truxel Road.

*Truxel Road* is an existing major arterial providing north-south access through North Natomas.

*Gateway Park Boulevard* is an existing 2-lane road that will be improved to contain a 6-lane segment (from Truxel Road to the proposed North Freeway Boulevard intersection) and a 4-lane segment (from the proposed North Freeway Boulevard intersection to Arena Boulevard/North Market Drive. This road will provide north-south access at the western boundary of the site.

*North Freeway Boulevard* is an existing 2-lane road that terminates at the eastern boundary of the project site. This road will be improved to bisect the site and connect with Gateway Park Boulevard. This new roadway begins at Gateway Park Boulevard as a six lane road and reduces to a four lane road at the most westerly interior signalized intersection and then to a two lane road at the most easterly signalized intersection.

*Loop Street* is a proposed two-plus road, intersecting North Freeway Boulevard in two locations.

Internal access to the site is from North Freeway Boulevard and Loop Street.

Transportation Management/Air Quality Plans (TMAQP): The applicant will implement air quality mitigation strategies by complying with the Transportation Systems Management (TSM) Plan Ordinance and the requirements of the 1994 North Natomas Community Plan regarding TMAQPs. Table 5 provides air quality mitigation strategies proposed by the applicant. The final TMAQP is required to be approved prior to the issuance of the first building permit.

**Table 5**  
**Proposed Air Quality Mitigation Strategies**

**TSM Measures in Plan**

<i>Measure</i>	<i>Potential Credit<sup>a</sup></i>
Mixed use project	1.0
Separate, safe, and convenient bicycle/pedestrian paths connecting residential, commercial and office uses	2.0
Development pattern eliminates physical barriers that impede bicycle and pedestrian circulation.	1.0
High density development within 1/4 mile of existing & proposed transit	3.0
Setback distance minimized between development & existing transit, bicycle, pedestrian corridor	1.0
Project provides several means of ingress and egress	1.0
Shuttle service in conjunction with North Natomas TMA	15.0
Project located within 1/2 mile of an existing Class II bike lane & provides comparable bikeway connection to that existing facility	1.0
Non-residential project providing bicycle lockers & racks	1.0
Non-residential project providing personal lockers & shower facilities	1.0
Provide additional 20% of required Class I /II bicycle parking facilities	0.5
Provide Guaranteed Ride Home program	2.0
Provide Flextime for non-SOV commuters	2.0
Include permanent TMA membership & funding requirement	2.5
Provide Transportation Coordinator, including sample commuter survey	1.0
<b>SUBTOTAL</b>	<b>35.0</b>

**AQ Measures in Plan**

<i>Measure</i>	<i>Potential Credit</i>
Increase parking lot shade by 20% over code	1.0
Parking lot design including clearly marked/shaded pedestrian pathways	0.5
Provide preferential parking for carpools/vanpools	0.5
Provide loading and unloading facilities for carpools/vanpools/transit	0.5
Carpool Matching Assistance	2.0
Promote teleworking & implement an employee telework policy	1.0
Provide a display case/kiosk displaying transportation information	3.5
Install Energy-Star labeled roof materials	0.5
Install lowest emitting commercially available furnace	0.5
Provide fiber optic wiring and connections	0.5
Provide T-1 wiring and connections	0.5
Contract with AQ certified landscapers	2.0
Electric/hybrid charging stations	1.5
Preferential parking for alternative fuel vehicles	0.5
<b>SUBTOTAL</b>	<b>15.0</b>

<sup>a</sup> Point values based upon "Recommended SMAQMD Guidance for AQ-15/NNCP Implementation" (Dec. 20, 1999) and consultations with SMAQMD.

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Staff recommends the Planning Commission approve the Tentative Map for JMA North Natomas in that the map is consistent with the 1994 North Natomas Community Plan, General Plan, and the City's Subdivision Ordinance.

**E. Special Permit to construct 751,000± square feet of retail shopping center uses and a Special Permit to construct 14,000± square feet of support retail uses.**

The Special Permits proposed for this project (see Exhibits 1H through 1X) include 43 retail buildings, ranging in size from a 200± foot fueling station kiosk to a 135,000± square foot big box retail building, and a fueling station associated with Building A2. Table 1 – Retail Tenant Square Footage (see pages 7 and 8, above) provides the proposed square footage for each retail building on the site.

There are a total of two major anchor tenants (greater than 100,000± square feet in size and one with a garden center and one with an associated fueling station), twelve major retail tenants (from 10,000 to 100,000 square feet), two junior retail tenants (under 10,000 square feet), six single or multi-tenant shop retail buildings, ten pad retail buildings, ten village retail shops, and one kiosk (associated with the fueling station). The total building square footage for these Special Permits is 765,000± square feet. This square footage is broken down to 638,650± square feet of retail uses and 126,350± square feet of restaurant uses (with approximately 3,792 seats).

**1. Setbacks**

The Zoning Ordinance defines setbacks as being measured from the property line to the main wall of the building. The proposed Promenade at Natomas PUD Guidelines have no minimum setback requirements along the side or rear yards. The PUD Guidelines include a 25-foot street setback requirement. The submitted site plan for this project indicates that the proposed building and landscape setbacks meet the requirements of the PUD Guidelines and Zoning Ordinance.

**2. Parking/Circulation**

Vehicle Parking: Parking is required to be provided at a minimum of 1 space per 250 square feet of retail space and a minimum of 1 space per 3 seats for restaurant uses. Based upon the off-street parking standards a minimum of 3,819 spaces would be required (based on 638,650± square feet of retail uses and 126,350± square feet of restaurant uses with approximately 3,792 seats). The attached site plan indicates 4,474 spaces are proposed for the site.

Bicycle Parking: The project is required to provide bicycle parking based on the number of required parking spaces. The Sacramento City Code,

Section 17.64.050, requires one (1) bicycle parking space for every twenty (20) required vehicle parking spaces. This project is required to provide 191 bicycle parking spaces. The attached site plan does not identify the location of the bicycle parking spaces. The project shall be conditioned to provide 96 Class I bicycle parking spaces and 95 Class I, II or III bicycle parking spaces. In addition, the applicant has proposed to provide 20 percent more bicycle parking spaces as an air quality mitigation strategy. This would provide for an additional 39 bicycle parking spaces, bringing the total to 115 Class I bicycle parking spaces and 115 Class I, II or III bicycle parking spaces.

Access: There are two main points of access to the site, Gateway Park Boulevard and North Freeway Boulevard. North Freeway Boulevard bisects the site, providing east-west access and connectivity to the site. North Freeway Boulevard connects with Gateway Park Boulevard at a signalized intersection on the western boundary of the site. In addition, two right-in/right-out driveways connect the site to Gateway Park Boulevard. Internal access is provided via North Freeway Boulevard and Loop Street, which are connected by two internal signalized intersections. There are an additional three driveways on the north of North Freeway Boulevard and four driveways to the south of North Freeway Boulevard. Loop Street provides access to the pedestrian village and the area at the south of the site. The pedestrian village is connected to Loop Street via 4 driveways and the users to the south are connected to Loop Street via 2 driveways.

Pedestrian Circulation: Off-site pedestrian access is provided to the site via the sidewalks on Truxel Road and Gateway Park Boulevard. Internal pedestrian access is provided with detached sidewalks located along North Freeway Boulevard and Loop Street. There are six pedestrian walkways that connect the retail buildings in the northern section (Zone 1) to North Freeway Boulevard. These pedestrian linkages connect the larger Tenants to the sidewalk along North Freeway and to the two internal signalized intersections, allowing connection to Zone 2 (the pedestrian oriented village). There is a 1,100± foot pedestrian promenade that runs the length (north to south) of Zone 2 connecting the shops to the larger retail tenants at the southern end of the center. Wide sidewalks (20 to 35 feet) are provided along the front of all the anchor and major tenants.

### 3. Landscaping

The proposed Promenade at Natomas PUD Guidelines do not require a designated landscape setback. The discussion above (see PUD Guidelines section and Exhibit 1F) describes the five landscaping zones, including the plant palette.

The Zoning Ordinance requires that trees be planted and maintained throughout the surface parking lot to ensure that, within 15 years after establishment of the parking lot at least 50% of the parking area will be shaded. Areas to be shaded include parking area and any driveways or maneuvering area utilized or accessed by the vehicles using the parking spaces. Evergreen trees do not count towards the 50% shading area. The applicant has indicated on the submitted site plan that the project will comply with the 50% shading requirement for parking areas. Conditions will be placed on the project for maintenance of all landscaping areas and height of shrubs and tree branches so as not to impede safety and lighting. The project will be required to meet Water Conservation Ordinance requirements.

The submitted plans do not include the location of proposed trash/recycling enclosures. The project will be conditioned to provide a plan indicating the location of all trash enclosures and Planning Staff approval will be required prior to issuance of building permits. Proposed trash enclosures are required to comply with City standards for design and size described in Chapter 17.72.040 of the City Code. These regulations require receptacles to be masonry with landscaping, screened from public view, and trash and recycling collection areas to be adjacent to one another. Staff recommends that prior to issuance of building permits trash and recycling volumes and locations be sized appropriately and identified on the building plans.

4. Signage

The applicant has indicated that signage will be a part of this project, but has not submitted any specific sign information. The special permit will be conditioned to meet the signage regulations in the Promenade at Natomas PUD Guidelines (as attached to this report in Exhibit 1F).

5. Building Design

As stated above, in the PUD guidelines discussion, the project is divided into three general themed areas according to uses. This special permit covers the uses located in Architectural Zones 2 and 3, as well as the two support retail uses in Zone 1. These support retail uses will have similar architectural characteristics as the retail uses found in Zones 2 and 3.

Architectural Zone 2: Is located in the central portion of the site and extends to Interstate 80 at the south and is bounded by the employment center uses to the west and North Freeway Boulevard to the east. This zone was identified above as the Pedestrian Oriented Village area. Buildings in this zone create a pedestrian scale area of retail shopping and food uses. This area provides vehicular access and parking at its perimeter, while excluding or limiting internal vehicle access. The tenants



in the Promenade area will generally be of a smaller type with the potential of medium sized "anchor" tenants. This area will provide opportunities for social gathering related to the restaurant and shopping provided.

Architectural Zone 3: Is located the north and east portions of the PUD entirely north of North Freeway Boulevard. This zone was identified above as the more traditional big box retail shopping center area. This zone has contemporary elements in common with the other two zones but also reflects the more festive characteristics of its retail use and shall accommodate a hierarchy reflecting the promotional value of each tenant.

The overall colors palette, materials, and themes for each of the zones shall be submitted to the City Planning Department concurrent with the first special permit application in that zone. Some variation to accommodate individual tenant criteria will be allowed at the discretion of the Planning Director and Committee.

Each of the themed areas shall utilize a "kit of parts" to provide diversity within a consistent architectural vocabulary. These parts may include: 1) Variation of building wall massing, parapets and rooflines to break down the massing of larger buildings; 2) Coordinated wall colors, textures, and/or materials within an approved family of colors and material; 3) Consistent graphic cornices, parapets and rooflines; 4) Wall transitions with trellises, pilasters or other unifying elements; 5) Columns and pilasters of consistent material and shape; 6) Trellises and arcades; 7) Consistent roofing and/or awnings; and 8) Towers.

#### PROJECT REVIEW PROCESS:

##### A. Environmental Determination

In accordance with CEQA Guidelines, Section 15081, Environmental Planning Services (EPS) determined that an EIR should be prepared for the proposed project. As per CEQA Guidelines, Section 15088.5, a Recirculated Draft EIR (RDEIR) was prepared for the proposed project after the previously proposed project for the site was withdrawn by the project applicant and a revised project was submitted by the applicant. "Project Alternative B" from the prior Draft EIR was revised to become the proposed project that is analyzed in the RDEIR presented for adoption.

The RDEIR identified significant Impacts for traffic, air quality, noise, biological resources, drainage and cultural resources. Mitigation measures were identified to reduce many project impacts to a less-than-significant level. However, significant and unavoidable impacts remain for traffic, noise and air quality. A Mitigation Monitoring Plan (MMP) that lists all of the mitigation measures and required implementing actions was prepared and is attached (Exhibit 1A).

The RDEIR was prepared and released for a 50-day public review period on December 15, 2003. The comment period ended on February 2, 2004. The RDEIR was circulated to the Office of Planning and Research for state agency review and posted at the County. The RDEIR was noticed in the Daily Recorder and the Sacramento Bee in addition to the Notice of Availability being mailed to interested agencies, community groups and individuals. Copies of the RDEIR were made available at the South Natomas Community Library and at the Planning and Building Department at 1231 I Street, Room 300.

Comment letters on the RDEIR were received from Caltrans, County Sanitation District 1, Regional Transit and several members of the public. The letter from Caltrans dated February 2, 2004 is in regards to the feasibility of certain traffic mitigation measures and fair share contribution towards regional I-80 improvements. The letter from CSD-1 dated January 6, 2004 explains infrastructure constraints and possible improvements needed for the project. The letter from Regional Transit dated January 28, 2004 discusses the future light rail alignment in relation to the proposed project and the need to ensure adequate right-of-way for the alignment, and proposes project design features to enhance pedestrian and transit use to the site. The letter from LSA, Inc. dated February 2, 2004 comments on traffic mitigation measures related to the Natomas Marketplace and the date of the traffic analysis. Mr. Holm's letter dated February 2, 2004 comments that the intersection of Truxel Road and Natomas Crossing needed to be in the traffic analysis. The letter from Suzanne Day dated February 2, 2004 comments that the intersection of Truxel Road and Gateway Park Boulevard is already significantly impacted and that additional access to the area is needed and that there needs to be better pedestrian and bicycle access to the site. The FEIR responds to all comments received on the RDEIR and revises text and/or analysis where needed.

B. Public/Neighborhood/Business Association Comments

The original project and all subsequent revisions were routed to the following associations: Environmental Council of Sacramento, Natomas Chamber of Commerce, Natomas Community Association, Natomas Crossing Community Vision, Natomas Crossing Homeowners Association, Natomas Journal; North Natomas Alliance, North Natomas Community Association, North Natomas Study Group, River Oaks Community Association, Valley View Acres Community Association, Westside Community Association, West Natomas Community Association, North Natomas Transportation Management Association, WALK Sacramento, and Jo Ann Whitsett. Comments were received from Natomas Community Association, North Natomas Alliance, North Natomas Transportation Management Association and WALK Sacramento. The River Oaks Community Association responded to the routing with a note of No Comment.

Staff Responses to these comments follow in **bold type**.

The NCA Planning Review Committee reviewed this project and had the following comments:

- 1) Pedestrian links to the village center from north perimeter shops are much improved with additional wider, shaded walkways separated from traffic.

**No response**

- 2) Splitting M14 building as south of village center planned for restaurants, improves access from parking areas to the south and promotes usage of pedestrian gathering area at south end of village center. Suggest retain 2nd pedestrian gathering center at NE section of buildings,

**The open space, originally designated as community gathering area, located at the northeast section of the site (between buildings M6 and A2 on the site plan) will remain as a open landscaped area, with pedestrian amenities, however, pedestrians will not necessarily be directed to this area.**

- 3) TMP plan showing 50% reduction in emissions should be available to us well in advance of planning commission. Increased tree coverage in parking lots is welcome,

**A summary of the proposed Air Quality/Transportation Management Plan trip and emission reduction measures are included above. The project is conditioned to meet the requirements of the North Natomas Community Plan and City Zoning Ordinance regarding air quality and transportation management.**

- 4) Planned I-80 bikeway/pedestrian bridge at east end of ROW should be condition of approval.

**At this time the ultimate location of the bicycle/pedestrian bridge over Interstate 80 has not been identified. The project has been designed to allow a bicycle/pedestrian bridge to land near the proposed off-street bicycle trail at the southeastern portion of the site.**

- 5) City should retain ROW on freeway access road at south entrance to site for future traffic improvements. (4 lanes instead of 2),

**The traffic study prepared for this project does not indicate a need for North Freeway Boulevard to be four lanes at this location.**

- 6) Signage/access from Northgate Blvd. is needed to minimize tremendous traffic impacts on I-80/Truxel interchange,

**The site is accessible from Northgate Boulevard via North Market Drive and North Freeway Boulevard.**

- 7) What conditions are placed on project to deal with traffic impacts, especially as they relate to adjacent Natomas Crossing neighborhood,

**Transportation mitigation measures are provided in the attached Project Mitigation Measures (Exhibit 1A).**

- 8) Developer should maintain access to future bikeway proposed along southern detention basin.

**This project is conditioned to provide an easement for the off-street multi-use trail located in this area.**

The North Natomas Alliance (NNA) Planning Review Committee reviewed this project and had the following comments;

- 1) NNA supports the project, as it satisfies long-standing unmet needs for additional major retail and restaurants in North Natomas. The project will significantly reduce the need for Natomas residents to travel outside the area to shop and dine.

**No response**

- 2) This project, combined with the Natomas Marketplace and other development, will severely increase congestion in the I-80/Truxel Road/Gateway Park Boulevard area. We strongly urge the City to aggressively pursue options for providing traffic relief to this area. One option would be to realign North Freeway Boulevard to connect directly to Northgate Boulevard, providing additional access to the area from I-80 via the Northgate Boulevard interchange. Other possibilities would be to improve direct access to North Market Boulevard. To preserve these options, we believe it is critical that a right-of-way no narrower than the current North Freeway Boulevard right-of-way be preserved along the full length of the North Freeway Boulevard extension through the project.

**The traffic study prepared for this project has identified all feasible transportation mitigation measures. The study did not indicate a need for North Freeway Boulevard to be four lanes at the suggested location.**

The North Natomas Transportation Management Association (NNTMA) reviewed this project and had the following comments;

- 1) Add shuttle pull-outs, interactive kiosks, NEV charging stations, and inter-modal connectivity for alternate modes.

**A summary of the proposed Air Quality/Transportation Management Plan trip and emission reduction measures are included above. These proposed measures include interactive kiosks and NEV charging stations. The applicant is proposing to provide shuttle service in conjunction with North Natomas TMA and will make minor site plan modifications to allow shuttle pull-outs in locations that will serve as inter-modal connectivity sites.**

WALKSacramento reviewed the project and provided the attached letter (Attachment 5). WALKSacramento is opposed to the proposed land use amendments, but has provided project specific recommendations, should the proposed land use changes be approved. Staff has summarized their comments and provided responses.

- 1) WALKSacramento is opposed to the proposed land use changes that would change the Light Industrial designated acreage to Regional Retail.

**Planning staff supports the proposed project and the associated land uses changes. Staff's analysis is provide above under Policy considerations.**

- 2) We suggest locating the buildings along the sides of the streets to maximize pedestrian and bicyclist access and also to shield the parking areas from the view of patrons traveling along the "Main Street" corridors. Please refer to the accompanying map for a visual representation. The pink areas shown on the map are prime locations for retail, dining, and entertainment facilities. We also encourage the inclusion of offices and/or residential uses on the upper floors of these structures. Note-the placement of future office buildings on the adjoining property to the southwest is included to help illustrate the concept.

**The applicant has designed the project to include a pedestrian oriented village commercial setting to the south of North Freeway Boulevard. This area is comprised of 133,000± square feet of retail uses and 72,650± square feet of restaurant uses (with approximately 1,2181 seats). This entire portion of the site is designed around the pedestrian promenade in order to promote pedestrian use. The pedestrian promenade is approximately 1,100 feet in length and provides both shopping and eating opportunities as well as pedestrian amenities (i.e. places to congregate with benches, chairs etc.). This long pedestrian promenade ties into the wide sidewalks that front the larger retailers at the southern portion of the site.**

- 3) Possible sites for a senior residential building (shown in purple) and a small adjoining park (shown in green) are included to illustrate the mixed-use potential of the site. Another possibility for the project might be an on-site hotel.

**The applicant has not proposed residential uses on the project site. Although one is not proposed on the proposed Schematic Plan (Exhibit 1F), a hotel is a support retail use in the Employment Center Zone.**

- 4) Pedestrian and bicyclist access corridors (shown in yellow on the map) would run along the sides of vehicle lanes and would include bike lanes, planters with shade trees and ornamental vegetation, and wide sidewalks. North Freeway Boulevard and the "loop street" could serve jointly as the "Main Street" corridor with 10' wide sidewalks, 6' bike lanes, and planter beds to create a picturesque tree lined avenue to welcome patrons, residents, and travelers to The Promenade at Natomas.

**North Freeway Boulevard includes separated sidewalks with a landscaped planter area adjacent to the street and bicycle lanes that connect the easternmost boundary of the site to the westernmost boundary. Pedestrian walkways throughout the project site are landscaped and provide pedestrian amenities such as benches kiosks, etc.**

- 5) Additionally, we suggest narrowing the six-lane segment of North Freeway Boulevard (between Gateway Park Boulevard and the "loop street") to four-lanes as is the case to the east of the intersection.

**The traffic study prepared for this project indicated a need for North Freeway Boulevard to be six lanes at the suggested location.**

- 6) Onsite pedestrian access should be facilitated by creating pedestrian walkways between the buildings and also leading in from the parking lots at the rear of the location (for patrons who park their vehicles and walk to the buildings).

**The areas at the rear of the retail buildings are generally used as delivery areas. The majority of parking spaces located at the rear of the retail buildings will be designated for employees only.**

- 7) Other topics that should be addressed are the need for access to the light rail line that may eventually run along the section of Truxel Road located to the southwest of the site, and also the need for access to the site from the east (especially if a pedestrian and bicyclist bridge is planned to be constructed there in the future, and, to a lesser degree, access from the north (to promote maximum community connectivity).

C. Summary of Agency Comments

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

1. Public Works Department
  - a. Development Services Division - Comments are incorporated into Notice of Decision.
  - b. Solid Waste Division - Comments and advisory notes are incorporated into Notice of Decision.
  - c. Electrical Division - Comments and advisory notes are incorporated into Notice of Decision.
2. Utilities Department - Comments and advisory notes are incorporated into Notice of Decision.
3. Building Department - Comments and advisory notes are incorporated into Notice of Decision.
4. Fire Department - Comments and advisory notes are incorporated into Notice of Decision.
5. Parks Department - Comments and advisory notes are incorporated into Notice of Decision.
3. CSD-1 - Comments and advisory notes are incorporated into Notice of Decision.
4. SMUD - Comments and advisory notes are incorporated into Notice of Decision.
5. Sacramento Regional Transit – provided comments (Attachment 6) identifying current and proposed transit services in the area. The proposed project is adjacent to the Locally Preferred Alternative for the Downtown/Natomas/Airport Light Rail Corridor. RT staff have also requested the applicant to enter into an agreement to provide park and ride spaces as close as possible to the proposed light rail station. As mentioned above, Planning staff have recommended a condition that would ensure up to 350 park and ride spaces be provided in the employment center portion of the site. RT staff have also included suggestions to improve the pedestrian connectivity between the site and the future light rail station. As mentioned above, the ultimate layout of the employment

center portion of the site will be modified during future Special Permit applications and the issue of pedestrian connectivity through this portion of the site will be analyzed at that time.

6. Sacramento Metropolitan Air Quality Management District – Comment letters from SMAQMD are included as Attachments 7 and 8. Comments and conditions related to air quality mitigation are have been incorporated into the Mitigation Monitoring Plan and conditions for this project (see below). As noted above, the applicant has prepared a draft Air Quality/Transportation Management Plan to address long-term emissions reductions. District staff have also indicated the addition of a residential component to this project would encourage different modes of travel and provide a greater reduction in auto trips. The applicants have not indicated a desire to include a residential component in this project.
7. California Transportation Department, District 3 – provided comments (Attachment 9) related to transportation impacts, mitigation measures for these impacts and public transit. The traffic study prepared and included in the Environmental Impact Report (EIR) address these comments and concerns.

D. Subdivision Review Committee Recommendation

On February 18, 2004, Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the proposed Tentative Map subject to the conditions of approval in the attached Notice of Decision.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, B, H, I and J. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action. Items A, B, C, D, E, F, and G below, require City Council approval.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact approving the Environmental Impact Report;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Mitigation Monitoring Plan;
- C. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Development Agreement;



- D. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the General Plan Amendment amending 126.4± gross acres from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use;
- E. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Community Plan Amendment amending 126.4± gross acres from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads;
- F. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Rezone of 126.4± gross acres of Agricultural Planned Unit Development (A PUD) to 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD);
- G. Adopt the attached Notice of Decision and Findings of Fact recommending approval of the Promenade at Natomas Planned Unit Development (PUD), establishing the Promenade at Natomas PUD including the Promenade at Natomas PUD Guidelines and the Promenade at Natomas PUD Schematic Plan, consisting of approximately 751,000± square feet of retail uses and 504,000 square feet of employment center uses;
- H. Adopt the attached Notice of Decision and Findings of Fact approving the Tentative Subdivision Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres;
- I. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to allow construction of 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone; and
- J. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to allow construction of 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.

Report Prepared By,

  
Greg Bitter, Associate Planner

Report Reviewed By,

  
David Kwong, Senior PlannerAttachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A.1	Findings of Fact and Statement of Overriding Consideration
Exhibit 1A.2	Mitigation Monitoring Plan
Exhibit 1B	Draft Development Agreement Ordinance
Exhibit 1C	General Plan Resolution
Exhibit 1D	Community Plan Resolution
Exhibit 1E	Rezone Ordinance
Exhibit 1F	PUD Establishment Resolution
Exhibit 1G	Tentative Subdivision Map
Exhibit 1H	Special Permits - Overall Site Plan (Sheet S1)
Exhibit 1I	Special Permits - Expanded Site Plan - Area A1 (Sheet A1)
Exhibit 1J	Special Permits - Expanded Site Plan - Area A2 (Sheet A2)
Exhibit 1K	Special Permits - Expanded Site Plan - Area A3 (Sheet A3)
Exhibit 1L	Special Permits - Expanded Site Plan - Area A4 (Sheet A4)
Exhibit 1M	Special Permits - Expanded Site Plan - Area A5 (Sheet A5)
Exhibit 1N	Special Permits - Pedestrian Circulation Plan (Sheet A6)
Exhibit 1O	Special Permits - Typical Elevations for Area A1 (Sheet E1)
Exhibit 1P	Special Permits - Typical Elevations for Area A2 (Sheet E2)
Exhibit 1Q	Special Permits - Typical Elevations for Area A3 (Sheet E3)
Exhibit 1R	Special Permits - Typical Elevations for Area A4 (Sheet E4)
Exhibit 1S	Special Permits - Overall Landscape Plan (Sheet L1)
Exhibit 1T	Special Permits - Expanded Landscape Plan - Area A1 (Sheet L2)
Exhibit 1U	Special Permits - Expanded Landscape Plan - Area A2 (Sheet L3)
Exhibit 1V	Special Permits - Expanded Landscape Plan - Area A3 (Sheet L4)
Exhibit 1W	Special Permits - Expanded Landscape Plan - Area A4 (Sheet L5)
Exhibit 1X	Special Permits - Expanded Landscape Plan - Area A5 (Sheet L6)
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map
Attachment 4	Promenade at Natomas Retail Center Market Study
Attachment 5	Walk Sacramento Letter (3/24/04)
Attachment 6	Regional Transit Letter (1/27/04)
Attachment 7	SMAQMD Letter (12/17/03)
Attachment 8	SMAQMD Letter (12/18/03)
Attachment 9	Cal Trans Letter (12/08/03)

**NOTICE OF DECISION AND FINDINGS OF FACT FOR  
THE PROMENADE AT NATOMAS PLANNED UNIT DEVELOPMENT,  
LOCATED NORTH OF INTERSTATE 80, EAST OF TRUXEL ROAD  
AND GATEWAY PARK BOULEVARD, SACRAMENTO, CALIFORNIA. (P00-033)**

At the meeting of April 22, 2004, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination: Environmental Impact Report;**
- B. Approved the Mitigation Monitoring Plan;**
- C. Recommend approval of the Development Agreement;**
- D. Recommend approval of the General Plan Amendment amending 126.4± gross acres from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use;**
- E. Recommend approval of the Community Plan Amendment amending 126.4± gross acres from 91.25± gross acres of Light Industrial, 30.27± gross acres of Employment Center 50, and 4.88± gross acres of major roads to 80.7± gross acres of Regional Commercial, 26.02± gross acres of Employment Center 50, 8.6± gross acres of Parks/Open Space, and 11.08± gross acres of major roads;**
- F. Recommend approval of the Rezone of 126.4± gross acres of Agricultural Planned Unit Development (A PUD) to 89.6± gross acres of Shopping Center Planned Unit Development (SC PUD), 28.12± gross acres of Employment Center 50 Planned Unit Development (EC-50 PUD), and 8.6± gross acres Agriculture-Open Space Planned Unit Development (A-OS PUD);**
- G. Recommend approval of the Promenade at Natomas Planned Unit Development (PUD), establishing the Promenade at Natomas PUD including the Promenade at Natomas PUD Guidelines and the Promenade at Natomas PUD Schematic Plan, consisting of approximately 751,000± square feet of retail uses and 504,000 square feet of employment center uses;**
- H. Approved the Tentative Subdivision Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment**

center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres;

- I. **Approved the Special Permit to allow construction of 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone; and**
- J. **Approved the Special Permit to allow construction of 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone.**

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

#### **FINDINGS OF FACT**

- A. **Environmental Impact Report:** The Environmental Impact Report (EIR) is certified and the Findings of Fact and Statements of Overriding Consideration are adopted for the proposed Promenade at Natomas project (P00-033) and are based on the findings provided in Exhibit 1A.1 (Findings of Fact and Statement of Overriding Consideration) of this Notice of Decision.
- B. **Mitigation Monitoring Plan:** The Mitigation Monitoring Plan is **approved** based upon the following findings of fact:
  1. One or more mitigation measures have been added to the above-identified project;
  2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1A.2;
  3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6.
  4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.
- H. **Tentative Subdivision Map:** The Tentative Subdivision Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
2. The proposed subdivision, together with the provision for its design and improvement, is consistent with the City's General Plan, North Natomas Community Plan, the Promenade at Natomas Planned Unit Development, the City's Subdivision Ordinance and the State Subdivision Map Act;
3. The discharge of waste from the proposed subdivision into existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision; and
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

I&J. Special Permits to construct 765,000± of retail uses: **SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone and **SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone are **approved** based on the following findings of fact:

1. The project is based upon sound principles of land use in that:
  - a. the proposed use is compatible with the non-residential uses surrounding the site and will not adversely affect the peace and general welfare of the surrounding neighborhood; and
  - b. adequate landscaping, parking, and site design is provided.
  - c. The design of the proposed buildings are consistent with the proposed Promenade at Natomas PUD Development Guidelines.
2. The project, as conditioned, will not be detrimental to the public welfare and result in the creation of a public nuisance in that the site and building design will be compatible in the area and adequate landscaping will be provided.
3. The project is consistent with policies in the General Plan and North Natomas Community Plan which, with the proposed land use amendments,

designate the site for Regional Commercial and Offices and Regional Commercial, respectively.

#### CONDITIONS OF APPROVAL

- H. The Tentative Master Parcel Map to subdivide 126.4± gross vacant acres into 33 total parcels, including 23 parcels for a regional shopping center uses on 89.6± gross acres, 7 parcels for employment center uses (5 office parcels and 2 support retail parcels) on 28.12± gross acres, and 3 parcels for public utility/drainage uses on 8.6± gross acres is hereby approved subject to the following conditions of approval:

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P00-033). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.**

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions.

#### **GENERAL: All Projects**

- H1. In accordance with City Code Section 16.24.090(c)(1), approval of this map by the Planning Commission is contingent upon approval by the City Council of all required Plan Amendments (if any), Zoning changes, and the Development Agreement. The Final Map may not be recorded unless and until such time as the City Council approves such required Plan Amendments (if any), Zoning changes, and the Development Agreement.
- H2. The applicant shall participate in the North Natomas Financing Plan, adopted by Resolution No. 94-495 on August 9, 1994, and updated by Resolution No. 2002-373 on June 11, 2002, and shall execute any and all agreements, which may be required in order to implement this condition.
- H3. Execute a Development Agreement to the satisfaction of the City of Sacramento, comply with, and meet all the requirements of the Agreement.
- H4. Comply with the North Natomas Development Guidelines and the PUD guidelines approved for this project (P00-033) to the satisfaction of the Planning Director and the Development Engineering and Finance Division.
- H5. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P00-033).

- H6. The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.
- H7. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments, in accordance with the Development Agreement.
- H8. Show existing and proposed/required easements on the Final Map.
- H9. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be:
- a. Conveyed to parcel(s) 6, 7, 8, 9, and 10, reserved from parcel(s) 11, 12, 13, and 14.
  - b. Conveyed to parcel(s) 17, 18, and 19, reserved from parcel(s) 16, 20, 21, and 22.
  - c. Conveyed to parcel(s) 32, reserved from parcel(s) 26.
  - d. Conveyed to parcel(s) 4, reserved from 1, 2, 3, and 5.

At no cost, at the time of sale or other conveyance of either parcel.

- H10. The applicant shall grant an ingress/egress easement to adjacent property on the west, APN 225-0170-043. Said property is adjacent to Truxel Road and Gateway Park Boulevard and the subject site.
- H11. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City.

- H12. Multiple Final Maps may be recorded. Prior to recordation of any Final Map, all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Development Services. Designing, bonding for, and entering into an appropriate subdivision improvement agreement is sufficient for satisfying this condition if deemed appropriate by the Development Engineering and Finance Division.
- H13. Prior to submittal of improvement plans for any phase of this project, the developer's design consultant(s) shall participate in a pre-design conference with City staff. The purpose of this conference is to allow City staff and the design consultants to exchange information on project design requirements and to coordinate the improvement plan review process. Contact the Development Engineering and Finance Division Plan Check Engineer at 808-7493 to schedule the conference. It is strongly recommended that the conference be held as early in the design process as possible.

**PUBLIC WORKS: Streets**

- H14. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the city code and standards adopted in and for the North Natomas Community Plan. Improvements required shall be determined by the City. Costs associated with offsite or overwidth improvements may be subject to reimbursement, per the development agreement. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions or on the map shall be designed and constructed to City standards.
- H15. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater conditions.
- H16. Dedicate and construct North Freeway Boulevard between Gateway Park Boulevard and the first leg of Loop Street to a standard 136' foot 6-lane street. Construction will include the landscaping of both median islands and mow strips.
- H17. Dedicate and construct North Freeway Boulevard between the first leg of Loop Street and the second leg of Loop Street to a standard 100' foot 4-lane street. Construction will include the landscaping of both median



islands, and mow strips.

- H18. Dedicate and construct North Freeway Boulevard between the second leg of Loop Street and the connection to existing North Freeway Boulevard to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands, and mow strips.
- H19. Dedicate and construct Loop Street to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands, and mow strips.
- H20. Construct/reconstruct Gateway Park Boulevard a non-standard 6-lane facility between Truxel Road and North Freeway Drive to the satisfaction of the Development Engineering and Finance Division. Construction will include the landscaping of the median islands, and mow strips adjacent to Gateway Park Boulevard.

Note: Additional Gateway Park Boulevard improvements will be attached to the Special Permit for this site.

- H21. The applicant shall use best efforts to obtain an easement from the adjacent property owner(s) for additional right-of-way along Gateway Park Boulevard if not already dedicated. To the extent necessary and at its discretion, the City may use its eminent domain authority as provided by Government Code Section 66462.5 to acquire the easement at the applicants expense.
- H22. Design and construct a Round About at the southernmost end of Loop Street to the satisfaction of the Development Engineering and Finance Division.
- H23. Multiple access points will be required for all phases of the Final Subdivision Map to the satisfaction of the Fire Department and Development Engineering and Finance Division. Dead end streets must be less than 500' in length and must include a turn-around approved by the Fire Department and Development Engineering and Finance Division. Certain exceptions may be considered by Fire Department and Development Engineering and Finance Division on a case-by-case basis.
- H24. At its discretion, the City may require the inclusion of traffic calming devices along certain streets, to be constructed as part of the public improvements. These devices may include, but are not limited to, bulb outs, chicanes, undulations, etc to the satisfaction of the Department of Transportation.
- H25. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans

standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering and Finance Division.

- H26. Developer is required to install permanent street signs to the satisfaction of the Development Engineering and Finance Division.
- H27. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Development Engineering and Finance Division. The centerlines of such streets shall be aligned.
- H28. Provide additional right-of-way for expanded intersections at intersections to be signalized and other locations specified by the Development Engineering and Finance Division.
- H29. Construct traffic signals at the following intersections (if not already in place):
  - a. Gateway Park Boulevard/North Freeway Boulevard.
  - b. North Freeway Boulevard/First Leg of Loop Street.
  - c. North Freeway Boulevard/Second Leg of Loop Street.

**NOTE:** The Department of Public Works has determined the need for these signals. Signals shall be constructed as part of the public improvements for the Final Map. Signal design and construction shall be to the satisfaction of the Development Engineering and Finance Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of Traffic Engineering Services.

- H30. The applicant shall submit a signal design concept report to the Development Engineering and Finance Division for review and approval prior to the submittal of any improvement plans involving traffic signal work
- H31. Provide a 40' wide Irrevocable Offer of Dedication (IOD) or other appropriate mechanism for future light rail track right-of-way to the satisfaction of Regional Transit. Interim uses within the right-of-way should be either limited to existing improvements and/or appropriate landscaping.

- H32. The applicant shall make provisions for bus stops, shelters, etc. to the satisfaction of Regional Transit.
- H33. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering and Finance Division.
- H34. The applicant shall dedicate a 100' easement to the City adjacent to Interstate 80 to serve as a buffer between the freeway and the subject property. In addition to providing a buffer, the easement shall also provide for the storage of water. Said easement shall be maintained by the property owner(s) to the satisfaction of the Departments of Utilities and Development Services.
- H35. Prior to recordation of the Final Map, the applicant shall submit to the City an electronic (i.e. AutoCAD) copy(s) of the Final Map and any associated improvement plans. The electronic copy(s) must be in accordance with the City's Digital Submission Standards and to the satisfaction of the Development Engineering and Finance Division. If the applicant is unable to provide an electronic copy because of a technology limitation then this condition may be waived at the discretion of the Development Engineering and Finance Division.

**PUBLIC WORKS:** Special Districts

- H36. Reimbursement costs shall be paid to the City for the Northgate Pumping Plant Assessment District per City Reimbursement Agreement No. 82020 and City Ordinance No. 82073.

**PRIVATE/PUBLIC UTILITIES:**

- H37. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of ways.
- H38. Connection to the public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to on and off-site sewer construction.
- H39. CSD-1 shall require an approved sewer study prior to the approval of final map or submittal of improvement plans for plan check to CSD-1, which ever comes first.
- H40. Each parcel created as development proceeds shall have a separate connection to the public sewer system.

- H41. In order to obtain sewer service, construction of public sewer is expected to be required. Sewer easements may be required. Trunk sewer design and construction may be reimbursed by CSD-1 under the terms of a Reimbursement Agreement. Collector sewer design and construction may qualify for reimbursement under the terms of a Participation Agreement. Prior to initiating design of any sewer facility, contact CSD-1 for details. It will be necessary to schedule a meeting to discuss reimbursement requirements with appropriate CSD-1 staff prior to any design. Failure to strictly comply with the provisions of the CSD-1 Ordinances may jeopardize all sewer reimbursement.
- H42. Sewer easements will be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All sewer easements shall be 20 feet in width and ensure continuous access for installation and maintenance.
- H43. The trunk and collector sewer system for the project will not be accepted for maintenance and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.
- H44. Interim sewer facilities may be required. An off-site lift station may be required to direct sewage to the existing trunk sewer on the east side of the East Drainage Canal until the future Upper Northwest Interceptor is completed on the west side of the East Drainage Canal.
- H45. Prior to recordation of the Final Map, Natomas Central Mutual Water Company shall be notified of map processing. Also, all assessments due on the property shall be paid and if the land use is other than agricultural, severance from the company is required. Pursuant to Company by-laws, severance from the Company requires execution of a stock cancellation agreement with Natomas Central Mutual Water Company, and severance fees must be paid.

#### **CITY UTILITIES:**

- H46. Prior to or concurrent with the submittal of improvement plans, a project specific drainage study as described in section 11.7 of the City Design and Procedures Manual shall be approved by the Department of Utilities (DOU). The 10-year and 100-year HGL's developed using the North Natomas Drainage Design & Procedures Manual, dated July 1998 and amendments thereto, shall be shown on the improvement plans. Drain inlets shall be a minimum of 6 inches above the 10-year HGL. Finished floor elevations shall be a minimum of 1.50 above the 100-year HGL and 1.70 feet above the controlling overland release elevation. All drainage lines shall be placed within the asphalt section of public-right-of-ways as

per the City's Design and Procedures Manual, unless otherwise approved by the DOU. The drainage study shall identify all existing off-site storm drain runoff which flows through the project and provide private facilities to convey these flows. Sufficient off-site and on-site spot elevation shall be provided in the drainage study to determine the direction of off-site storm drain runoff.

- H47. Prior to or concurrent with the submittal of improvement plans, a project specific water study shall be approved by the DOU.
- H48. The water distribution system shall be designed to satisfy the more critical of the two following conditions: (1) at maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be a least 30 pounds per square inch and (2) at average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch
- H49. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All water lines shall be placed within the asphalt section of public right-of-ways as per the City's Design and Procedures Manual.
- H50. Construct water pipes and appurtenances, construct storm drain pipes and appurtenances, and construct sanitary sewer pipes and appurtenances in Gateway Park Boulevard, North Freeway Boulevard and Loop Street. The construction shall be to the satisfaction of the DOU and County Sanitation District 1 (CSD1).
- H51. Construct a 12-inch water line in Gateway Park Boulevard from North Freeway Boulevard to the north boundary of Parcel 4.
- H52. Within Parcel 31, construct a privately owned and privately maintained drainage basin, including landscaping, for water quality treatment and flood control. The construction of the drainage basin, including landscaping, shall be to the satisfaction of the DOU. The exact location and dimensions of Parcel 31 shall be established by the DOU in its sole discretion. If the exact location and dimensions differ from those specified for Parcel 31 on the tentative map, the location and dimensions shall be revised on the final map according to the DOU's determination.
- H53. The applicant shall enter into and record an Agreement for Maintenance of the drainage basin to be constructed on Parcel 31, in a form acceptable to the DOU and the City Attorney, that (1) requires the owner(s) of Parcel 31 to properly maintain and repair the drainage basin including all related drainage facilities and landscaping on Parcel 31, (2) authorizes the DOU to enter Parcel 31 and perform such maintenance or repair if the DOU

determines at any time that such maintenance or repair is necessary for the drainage basin to function properly, and (3) requires the owner(s) of Parcel 31 to pay all costs incurred by the DOU to perform such maintenance or repair, and imposes a lien on Parcel 31 if the owner(s) fails to pay such costs.

- H54. Within Parcel 32, construct a storm drainage pump station to the satisfaction of the DOU.
- H55. Execute and deliver to the City, in recordable form, an IOD for conveyance to the City of fee title to Parcel 32, for a City owned and maintained pump station. The exact location and dimensions of Parcel 32 shall be established by the DOU in its sole discretion. If the exact location and dimensions differ from those specified for Parcel 32 on the tentative map, the location and dimensions shall be revised on the final map according to the DOU's determination.
- H56. Within Parcels 26 and 27, dedicate an easement to the City of Sacramento for access to the pump station located on Parcel 32. The easement shall be to the satisfaction of the DOU.
- H57. Within Parcels 26, 27, 28 and 29 dedicate an exclusive storm drain easement for the proposed 60-inch and 66-inch storm drain lines. The easement shall be to the satisfaction of the DOU. The applicant shall enter into and record a Hold Harmless Agreement, for private improvements installed within the easement, in a form acceptable to the DOU and the City Attorney.
- H58. Within Parcel 31, dedicate exclusive storm drain easements for the proposed 66 and 72-inch storm drain lines. The easement shall be to the satisfaction of the DOU. The applicant shall enter into and record a Hold Harmless Agreement, for private improvements installed within the easement, in a form acceptable to the DOU and the City Attorney.
- H59. Per Sacramento City Code, the City's point of service for water services connected to distribution mains located in public streets is at the edge of the sidewalk adjoining the property served when the sidewalk is continuous with the curb and gutter, and is at the edge of the curb adjoining the property served when the sidewalk is separated from curb and gutter by a planter strip.
- H60. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common

irrigation service, on such terms and conditions as may be determined by the DOU.

- H61. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel; however, multiple domestic, commercial taps may be allowed per the DOU's commercial tap policy.
- H62. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- H63. Per Sacramento City Code, section 16.28.100, no final map shall be certified (by the Director of Public Works) until the required improvements have been installed or agreed to be installed in accordance with Chapter 16.48 (Subdivision Improvements).
- H64. Paragraphs (A), (B), (C), (D), (F), (N) and (Q) of Section 16.48.110 of the City Code shall be required for this development. Off-site water, sewer and drainage main extensions may be required.
- H65. Street and gutter flow line elevations shall be designed so that runoff from the development overland releases to the proposed drainage basin.
- H66. Dedicate all necessary easements, right-of-way, or fee title property on the final map as required to implement the approved drainage, water and sewer studies per each approving agency requirements. Drainage and water easements, right-of-way, or fee title property shall be to the satisfaction of the DOU.
- H67. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- H68. This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2)

site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

- H69. All lots shall be graded so that drainage does not cross property lines or the applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each lot/parcel shall convey to the remaining lots/parcels, as needed, private easements for storm drainage and sanitary sewer at no cost at the time of sale or other conveyance of any lot/parcel. A note stating the following shall be placed on the Final Map: **"THE LOTS/PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS #(BOOK \_\_\_\_\_, PAGE \_\_\_\_\_)."**
- H70. Properly abandon under permit, from the County Environmental Health Division, any well or septic system located on the property.
- H71. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- H72. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area that is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- H73. Show all existing and proposed easements on the improvement plans.
- H74. Within Parcel 31, dedicate an easement to the City for storage of storm drain runoff. The easement shall be to the satisfaction of the Department



of Utilities.

**PPDD: Parks**

- H75. The multi-use trail shall be constructed as specified below and in compliance with the PPDD "Multi-Use Trail Design Guidelines" available by contacting PPDD. The applicant must coordinate the design with PPDD prior to submitting plans for PPDD approval.
- H76. The applicant shall provide an easement for the off-street multi-use trail to the satisfaction of PPDD. The trail will be a total of 16' wide including 12' of asphalt pavement with a 2' wide decomposed granite shoulder on each side.
- a. Trails shall be 3" asphaltic concrete over 6" min of Aggregate base, with a center line stripe, refer to PPDD Trail detail and specification.
  - b. Fold-Down Bollards shall be placed at the entrance to all access points to the trail, refer to PPDD Fold-down bollard detail and specification.
  - c. Wherever possible and as approved by PPDD and the Department of Utilities, multi-use trails shall be designed as joint-use with utility service roads utilizing the service roads aggregate base as the trail's aggregate base course.
  - d. Where multi-use trail is located adjacent to any embankment with a greater than 4:1 slope, the Applicant shall, at his expense, install a post-and-cable fence along the top of the embankment, between embankment and multi-use trail.

**MISCELLANEOUS:**

- H77. City standard ornamental street lights (acorn style or alternate decorative style approved by the Planning and Electrical Divisions) shall be designed and constructed by the applicant in accordance with Electrical Division requirements.

**ADVISORY NOTES:**

- H78. The following advisory notes are informational in nature and are not a requirement of this Tentative Map:
- H79. Prior to the issuance of any building permits, provide the City with a copy of the certificate of payment of school fees for the applicable school district(s).

- H80. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.
- H81. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.
- I&J. Special Permits to construct 765,000± of retail uses: **SPECIAL PERMIT** to construct 751,000± square feet of buildings for retail use, including a gasoline fueling station on 89.68± gross acres in the Shopping Center Planned Unit Development (SC PUD) zone and **SPECIAL PERMIT** to construct 14,000± square feet of buildings for retail use on 2.2± net acres in the Employment Center 50 Planned Unit Development (EC-50 PUD) zone are hereby approved subject to the following conditions of approval:

**Planning:**

- I&J1. Obtain all necessary building permits prior to construction.
- I&J2. Development of this site shall be in compliance with the attached site plan and landscape exhibits (Exhibits 1H thru 1X) and conform to the PUD Design Guidelines.
- I&J3. Any modification to the project shall be subject to review and approval by Planning staff prior to the issuance of building permits. Any significant modification to the project may require subsequent entitlements.
- I&J4. Comply with all applicable conditions of the Promenade at Natomas Planned Unit Development.
- I&J5. Mitigation Monitoring Plan: The developer shall comply with all requirements included in the Mitigation Monitoring Plan (Exhibit 1A).

- I&J6. The trash enclosure shall meet all requirements of the Sacramento City Code, Chapter 17.72 (Recycling and Solid Waste Disposal Regulations), including statement of recycling information requirements, recycling volume requirements, perimeter landscaping, masonry walls, and a solid metal gate.
- I&J7. The proposal is required to meet the Sacramento City Code regulations, regarding bicycle parking (Section 17.64.040). Bicycle parking shall be located in a secure area located in close proximity to doors and windows.
- I&J8. The proposal is required to meet the Sacramento City Code regulation, regarding tree shading (Chapter 17.68).
- I&J9. The applicant shall submit final building elevations and a color palette for the project to be reviewed and approved by the Planning Director prior to the issuance of building permits.
- I&J10. The applicant shall submit a sign application identifying all signage for the site including but not limited to corner monument signs, entry signs, building identification and address signs, trash enclosure signs, and directional signage prior to the issuance of any sign permits. The sign program shall be reviewed by both Planning and Building departments for conformance and compatibility with the project. All signage shall comply with the Promenade at Natomas PUD guidelines. When the guidelines are silent, signage is required to comply with the City of Sacramento's Sign Ordinance.
- I&J11. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"); the lowest tree branch height shall be at least six feet (6'). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- I&J12. Lighting
  - a. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists adjacent residents, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
  - b. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of 0.25

foot-candles of illumination shall be provided at the surface of any walkway, alcove, or passageway related to the building project during the same hours.

- I&J13. The height of pole mounted light fixtures shall be no more than 35 feet.
- I&J14. Prior to issuance of a Building Permit the applicant will submit a Transportation Management Plan for review and approval by the City's Alternate Modes Coordinator and Planning Director.
- I&J15. Any tenant utilizing shopping carts will be required to comply with Chapter 5.82 of the Sacramento City Code relating to shopping carts (enacted by Ordinance Number 2002-039).
- I&J16. Loading Docks: Each loading dock area shall be screened with a minimum eight (8) foot masonry wall.
- I&J17. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.

## **Development Services**

### **Development Engineering and Finance Division**

The applicant shall satisfy each of the following conditions prior to the issuance of any building permit unless a different time for compliance is specifically stated in these conditions. If multiple building permits are anticipated, the Development Services Department will determine the needed improvements for each building permit.

- I&J18. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P00-033).
- I&J19. Comply with the North Natomas Development Guidelines and the PUD guidelines approved for this project (P00-033) to the satisfaction of the Planning Director and the Development Services Department.
- I&J20. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the city code and standards adopted in and for the North Natomas Community Plan. Improvements required shall be determined by the City. Costs associated with offsite or overwidth improvements may be subject to reimbursement, per the development agreement. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and

Finance Division. Any public improvement not specifically noted in these conditions or on the map shall be designed and constructed to City standards.

- I&J21. Dedicate and construct North Freeway Boulevard between Gateway Park Boulevard and the first leg of Loop Street to a standard 136' foot 6-lane street. Construction will include the landscaping of both median islands and mow strips.
- I&J22. Dedicate and construct North Freeway Boulevard between the first leg of Loop Street and the second leg of Loop Street to a standard 100' foot 4-lane street. Construction will include the landscaping of both median islands and mow strips.
- I&J23. Dedicate and construct North Freeway Boulevard between the second leg of Loop Street and the connection to existing North Freeway Boulevard to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands and mow strips.
- I&J24. Dedicate and construct Loop Street to a standard 70' foot 2+ street. Construction will include the landscaping of both median islands and mow strips.
- I&J25. Construct/reconstruct Gateway Park Boulevard a non-standard 6-lane facility between Truxel Road and North Freeway Drive to the satisfaction of the Development Engineering and Finance Division. Construction will include the landscaping of the Median Island and mow strips adjacent to Gateway Park Boulevard.
- I&J26. Construct Gateway Park Boulevard to a standard 4-lane facility between North Freeway Drive and North Market Drive to the satisfaction of the Development Engineering and Finance Division. Improvements shall include the landscaping of the Median Island and mow strips adjacent to Gateway Park Boulevard.
- I&J27. Design and construct a Round a Bout at the southernmost end of Loop Street to the satisfaction of the Development Engineering and Finance Division.
- I&J28. Construct traffic signals at the following intersections to the satisfaction of the Development Engineering and Finance Division (if not already in place):
  - a. Del Paso Road/Northgate Boulevard
  - b. North Freeway Boulevard/North Market Drive

## c. Gateway Park Boulevard/National Drive

**NOTE:** The Development Engineering and Finance Division has determined the need for signals at these locations. Signals shall be constructed as part of the public improvements for the Special Permit. Signal design and construction shall be to the satisfaction of the Development Engineering and Finance Division and may be subject to reimbursement as set forth in the Development Agreement. The applicant shall provide all on-site easements and right-of-way needed for turn lanes, signal facilities and related appurtenances. The applicant shall install CCTV cameras and all necessary appurtenances if deemed necessary by and to the satisfaction of the Department of Transportation.

- I&J29. The applicant shall submit a signal design concept report to the Development Engineering and Finance Division for review and approval prior to the submittal of any improvement plans involving traffic signal work.
- I&J30. In general, all new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division. Any exceptions are at the discretion of the Development Engineering and Finance Division.
- I&J31. All driveways on Gateway Park Boulevard shall be right in right out only (i.e. no median breaks) and require standard right turn pockets.
- I&J32. The minimum throat distance for site driveways shall be as follows (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc):
  - a. Driveways on Gateway Park Boulevard shall have a minimum throat depth of 120'.
  - b. Driveways on the loop street shall have a minimum throat depth of 60'.
  - c. Driveways on the 6-lane section of North Freeway Drive shall have a minimum throat depth of 160'.
  - d. Driveways on the four lane section of North Freeway Boulevard shall have a minimum throat depth of 100'.
  - e. Driveways on the 2+ section of North Freeway Boulevard shall have a minimum throat depth of 60'.

- I&J33. Provide additional right-of-way for expanded intersections, if required, at locations specified by and to the satisfaction of The Development Engineering and Finance Division.
- I&J34. The site plan shall conform to A.D.A. requirements in all respects
- I&J35. The applicant shall record the Final Map, which creates the lot pattern shown on the proposed site plan prior to obtaining any Building Permits.
- I&J36. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- I&J37. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering and Finance Division.
- I&J38. Prior to occupancy of any building on-site, install traffic signal loop-detectors on the westbound I-80 off-ramp at Northgate Boulevard for the purpose of over-riding the traffic signal at the intersection of the ramp with Northgate Boulevard. Installation shall be to the satisfaction of Caltrans and the City.
- I&J39. Prior to issuance of any building permit for the site, applicant shall enter into an agreement to pay a fair-share contribution for freeway improvements identified in the traffic analysis included in the RDEIR (dated December 2003) for the project. The necessary improvements are widening the westbound I-80 off-ramp. Fair-share payment shall be based on:
- a. Length of the widening shall be limited to 1300 feet; and
  - b. An engineer's estimate based on preliminary construction documents to be obtained from Caltrans; and
  - c. The project's peak hour volume on the ramp less the peak hour volume expected for the approved community plan land uses, divided by the projected year 2025 peak hour ramp volume.

If Caltrans does not provide preliminary construction documents or cost estimate within one year of City Council approval of the proposed project, the condition shall be deemed satisfied. If those documents are provided prior to issuance of the building permit, applicant shall pay the fair-share amount before the building permit is issued and the condition shall be considered satisfied.

- I&J40. Prior to Issuance of any Building Permit, the applicant shall submit to the City an electronic (i.e. AutoCAD) copy(s) of the associated improvement plans. The electronic copy(s) must be in accordance with the City's Digital Submission Standards and to the satisfaction of the Development Engineering and Finance Division. If the applicant is unable to provide an electronic copy because of a technology limitation then this condition may be waived at the discretion of the Development Engineering and Finance Division.

**Public Works - Solid Waste:**

- I&J41. The applicant is required to provide a site plan that includes the locations, sizes of enclosures, types of dumpsters/receptacles, and the access and security measures planned for the enclosures to the Solid Waste Division. The applicant must show the capacity and location of recycling/trash enclosures to demonstrate that sufficient capacity exists for recycling and solid waste disposal.
- I&J42. The applicant is required to describe the flow of recyclable materials through the building and to identify the recyclable commodities that will be diverted from the waste stream of this proposed development. The applicant should plan to divert cardboard, mixed paper, and beverage containers.
- I&J43. The applicant should provide a education/public relations program instructing users of the development about the benefits of recycling and how to recycle.
- I&J44. The applicant is instructed to divert construction waste during the construction phase of the project. The applicant should target cardboard wood waste, scrap metal, and dry wall for recovery.

**Public Works - Technical Services - Electrical Section:**

- I&J45. This project shall require street lighting. There is an existing street lighting system in this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functionally during construction.

**Building**

- I&J46. Private underground utilities (Water, Sewer, Electrical, etc.) shall not cross property lines. Private utilities shall be provided.
- I&J47. Provide a building code area analysis for Buildings A1, A2, with Garden Center.



- I&J48. Handicap parking shall comply with UBC Section 1129B.
- I&J49. From the water flow test shall be obtained from Utilities a fire flow shall be calculated for this site. Once the fire flow determined the building allowable area could be determine from the Uniform Fire and Building Codes. With the fire flow the number of fire hydrant can be determined.
- I&J50. Fire hydrants shall be provided at a maximum spacing 300 feet, and along fire truck access roads noted in two above.
- I&J51. Fire department connection to the fire sprinkler shall be provided. Check with the Fire Department for acceptable locations.
- I&J52. Per UBC Section 503.1 building shall adjoin or have access to a public way, or provide ingress egress easements.
- I&J53. A water flow test shall be obtained from Utilities and the fire flow calculated. With the fire flow calculated the applicant shall determine if the proposed building area and construction type complies with the Fire Code. If not the building area shall be reduced or a change in construction type will be need.

**Utilities:**

- I&J54. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel; however, multiple domestic, commercial taps may be allowed per the Department of Utilities (DOU) commercial tap policy.
- I&J55. Each parcel shall have a separate, metered irrigation service; provided that an owner or entity possessing an easement or other property right authorizing a common irrigation service for multiple parcels may request a common irrigation service for such parcels, and the DOU may, in its sole discretion, approve a Utility Service Agreement to provide a common irrigation service, on such terms and conditions as may be determined by the DOU.
- I&J56. Multiple fire services are allowed per parcel and may be required.
- I&J57. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
- I&J58. All on-site water, storm drain and sanitary sewer facilities shall be private systems.

- I&J59. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. At a minimum, one foot off-site contours within 100' of the project boundary are required (per Plate 2, page 3-7 of the City Design and Procedures Manual). No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- I&J60. This project is greater than 1 acre, therefore the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- I&J61. The lot shall be graded so that drainage does not cross property lines or the applicant shall enter into and record an Agreement for Conveyance of Easements with the City as noted in the following condition.
- I&J62. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that each lot/parcel shall convey to the remaining lots/parcels, as needed, private easements for storm drainage, sanitary sewer and water, at no cost at the time of sale or other conveyance of any lot/parcel.
- I&J63. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. The storm drain service taps shall drain onsite shed areas which are in general conformance with the approved master drainage study. An on-site drainage study and shed map is required. This study and shed map shall be approved by the Department of Utilities. The onsite system shall be designed so the 10-year HGL is a minimum of 6-inches below the onsite drain inlets. The 10-year HGL shall be determined using the Sacramento Charts for Zone 2. Finished floor elevations shall be a minimum of 1.50 above the 100-year HGL and 1.70 feet above the controlling overland release elevation. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual). The drainage study shall identify all existing off-site storm drain runoff which flows through the

project and provide private facilities to convey these flows. Sufficient off-site and on-site spot elevation shall be provided in the drainage study to determine the direction of off-site storm drain runoff.

- I&J64. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- I&J65. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is served by a regional water quality control facility, only source control measures are required. Specific source controls are required for (1) commercial/industrial material storage, (2) commercial/industrial outdoor loading/unloading of materials, (3) commercial/industrial vehicle and equipment fueling, (4) commercial/industrial vehicle and equipment maintenance, repair and washing, (5) commercial/industrial outdoor process equipment operations and maintenance and (6) commercial/industrial waste handling. Storm drain message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures", for appropriate source control measures.
- I&J66. The proposed development is located within County Sanitation District No.1 (CSD1). The applicant shall comply with all CSD1 requirements.
- I&J67. Show all existing easements on the site plan.
- I&J68. Post construction, stormwater quality control measures shall be incorporated into the fueling area to minimize the increase of urban runoff pollution and non-stormwater discharges. These measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans shall include source control measures per section 3, Commercial/Industrial Vehicle and Equipment Fueling, of the latest edition of the "Guidance Manual for On-Site Stormwater Quality Control Measures".

**Fire Department:**

- I&J69. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

- I&J70. Provide adequate fire flow and hydrants.
- I&J71. Provide Knox box for each building.
- I&J72. Driveways less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; driveways less than 36 feet in width shall be marked on one side.
- I&J73. Provide adequate turning radii for apparatus (35' inside and 55' outside).
- I&J74. Provide adequate Fire Department turnaround (cul-de-sac or hammerhead standard).
- I&J75. Fire sprinkler mains shall not cross property lines, unless a reciprocal easement agreement is provided.

**Advisory Notes:**

**Public Works - Solid Waste:**

- I&J76. The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.
- I&J77. Businesses that choose private sector service should ask about recycling opportunities that company offers. Recycling should still be cheaper than disposal.
- I&J78. Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.

**Utilities:**

- I&J79. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression system.

**County Sanitation District 1:**

- I&J80. The existing 18" diameter trunk sewer adjacent to the property along the north boundary is capacity constrained. The trunk sewer to be constructed is the portion of the Natomas Central Trunk Shed Project


NNL line from Interstate 80 north to the north project boundary and then west to the future Upper Northwest Interceptor. This NNL line is depicted on CSD-1 Trunk Shed Plans. Alternative within the subject property may be considered. A portion of the capacity to be provided in the new trunk sewer will be used to relieve existing capacity constraints south of Interstate 80.

- I&J81. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.
- I&J82. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

**Sacramento Metropolitan Air Quality Management District:**

- I&J83. Any project that includes the installation of equipment capable of releasing emissions to the atmosphere may require permit(s) from the Sacramento Metropolitan Air Quality Management District (District) prior to operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a District permit include dry cleaners, gasoline stations, spray booths, and operations that generate gaseous and/or airborne particulate emissions. For further information about permit requirements, contact the District offices by calling (916) 874-4800.
- I&J84. The requirements of District Rule 403 – Fugitive Dust will apply to any grading operations for this development. For additional information regarding this rule, the applicant may wish to contact the District main office at 874-4800.

I&J85. For the gas station that is being proposed, the requirements of District Rules 448 – Gasoline Transfer into Stationary Storage Containers; 449 – Transfer of Gasoline into Vehicle Storage Tanks; and 457 – Methanol Compatible Tanks, will apply.

  
CHAIRPERSON

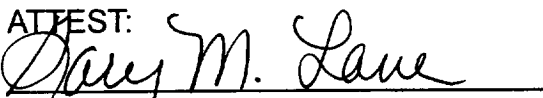
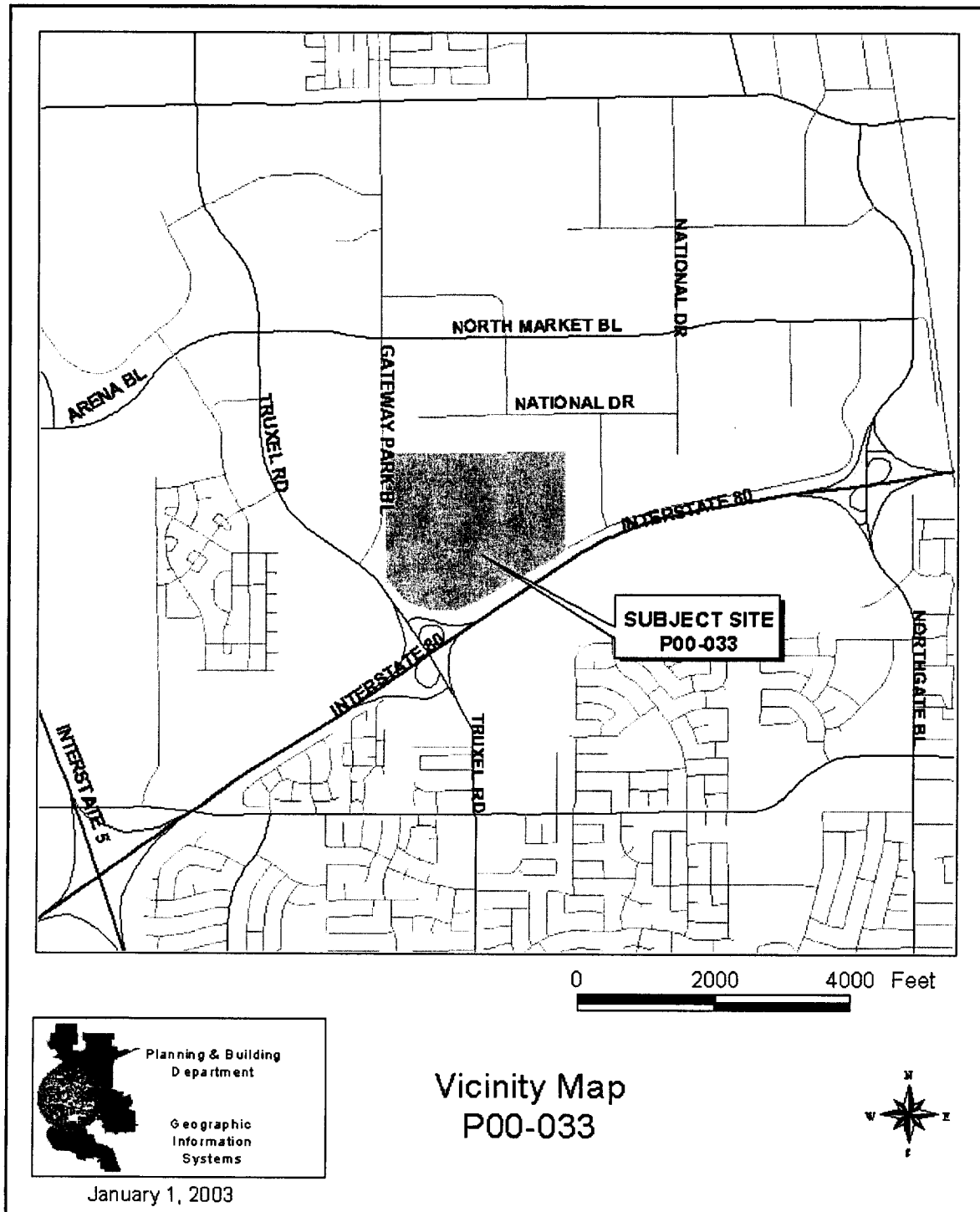
ATTEST:  
  
SECRETARY TO CITY PLANNING COMMISSION  
4/22/04  
DATE (P00-033)

Exhibit 1A.1	Findings of Fact and Statement of Overriding Consideration
Exhibit 1A.2	Mitigation Monitoring Plan
Exhibit 1B	Draft Development Agreement Ordinance
Exhibit 1C	General Plan Resolution
Exhibit 1D	Community Plan Resolution
Exhibit 1E	Rezone Ordinance
Exhibit 1F	PUD Establishment Resolution
Exhibit 1G	Tentative Subdivision Map
Exhibit 1H	Special Permits - Overall Site Plan (Sheet S1)
Exhibit 1I	Special Permits - Expanded Site Plan – Area A1 (Sheet A1)
Exhibit 1J	Special Permits - Expanded Site Plan – Area A2 (Sheet A2)
Exhibit 1K	Special Permits - Expanded Site Plan – Area A3 (Sheet A3)
Exhibit 1L	Special Permits - Expanded Site Plan – Area A4 (Sheet A4)
Exhibit 1M	Special Permits - Expanded Site Plan – Area A5 (Sheet A5)
Exhibit 1N	Special Permits - Pedestrian Circulation Plan (Sheet A6)
Exhibit 1O	Special Permits - Typical Elevations for Area A1 (Sheet E1)
Exhibit 1P	Special Permits - Typical Elevations for Area A2 (Sheet E2)
Exhibit 1Q	Special Permits - Typical Elevations for Area A3 (Sheet E3)
Exhibit 1R	Special Permits - Typical Elevations for Area A4 (Sheet E4)
Exhibit 1S	Special Permits - Overall Landscape Plan (Sheet L1)
Exhibit 1T	Special Permits - Expanded Landscape Plan – Area A1 (Sheet L2)
Exhibit 1U	Special Permits - Expanded Landscape Plan – Area A2 (Sheet L3)
Exhibit 1V	Special Permits - Expanded Landscape Plan – Area A3 (Sheet L4)
Exhibit 1W	Special Permits - Expanded Landscape Plan – Area A4 (Sheet L5)
Exhibit 1X	Special Permits - Expanded Landscape Plan – Area A5 (Sheet L6)

Exhibits 1A.1 through 1X of the City Planning Commission staff (dated April 22, 2004) report for the Promenade at Natomas project (P00-033) are **not included** in this attachment to the City Council staff report. These exhibits, listed below, can be found elsewhere within the City Council staff report, **from page 8 through page 209**. Inclusion of these exhibits would provide redundant material. These exhibits are found on pages 68 through 242 of the City Planning Commission staff report. In addition, the City Planning Commission staff report is available for review at the City Planning Division, located at 1231 I Street, Suite 300, Sacramento, CA 95814. If you need to obtain a copy of the Planning Commission staff report, please contact Greg Bitter, Associate Planner at 916/808-7816.

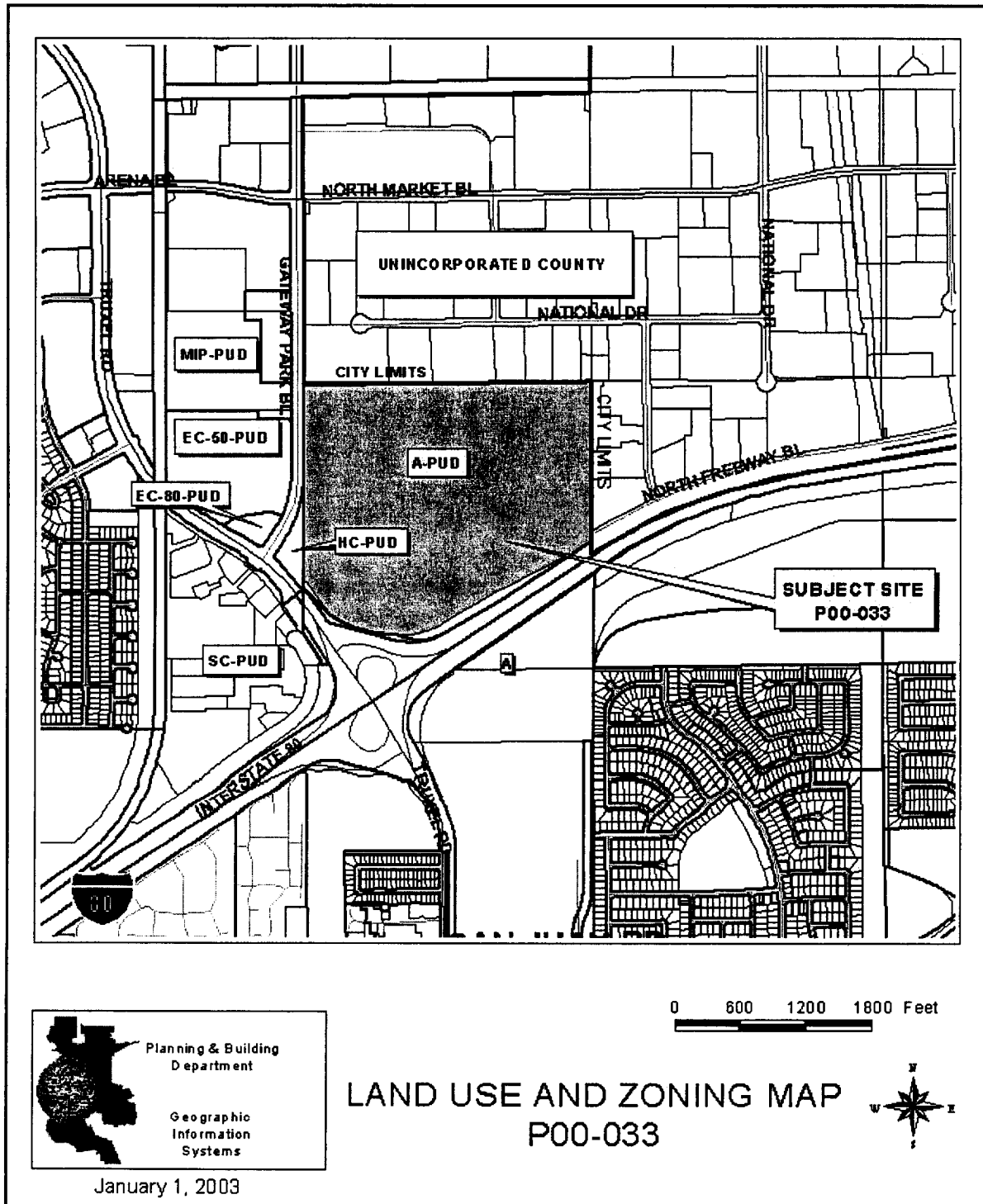
- Exhibit 1A.1 Findings of Fact and Statement of Overriding Consideration
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- Exhibit 1X Special Permits - Expanded Landscape Plan – Area A5 (Sheet L6)

Attachment 2 - Vicinity Map





Attachment 3 - Land Use & Zoning Map



Attachment 4 - Promenade at Natomas Retail Center Market Study



**PROMENADE  
AT NATOMAS  
RETAIL CENTER  
MARKET STUDY**

**Prepared for:**  
Jim Wiley  
Taylor and Wiley  
March 22, 2004

April 22, 2004

## A Promenade at Natomas Retail Center Market Study



March 22, 2004

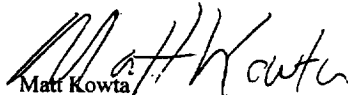
Jim Wiley  
Taylor & Wiley  
2870 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833

Dear Jim:

Attached for your review please find the Promenade at Natomas Retail Center Market Study. We have incorporated revisions per comments that you, Jeff Smith, Bob Dong, and City of Sacramento staff provided on the draft report. We believe that the Promenade will do well in the proposed location, and that conditions are favorable for this project.

We are available to assist you and Opus West in presenting the results of this study to the City of Sacramento and others, as necessary. Please do not hesitate to contact me, or Sherry Okun, if you have any questions in the meantime.

Sincerely,

  
Matt Kowta  
Principal

## Attachment 4 - Promenade at Natomas Retail Center Market Study

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**Attachment 4 - Promenade at Natomas Retail Center Market Study****Executive Summary**

This report provides an update of Natomas area retail market and demographic conditions and trends since the preparation of the Regional Retail Market Study for North Natomas, completed in 2000 by 2000 Economics Research Associates for the City of Sacramento. This report focuses primarily on updating the prior report's assessment of the demographic and competitive conditions in the retail trade area, determining whether there is sufficient demand to warrant building the proposed Promenade at Natomas retail center, and the extent to which the proposed center will compete with any of the other existing or planned retail centers in Sacramento, specifically the Arden Fair and Downtown shopping areas. Finally, the study looks at whether conditions are viable for the construction of Promenade at North Natomas, based on changes in trade area economic conditions since publication of the ERA report.

**Project Description**

The site for the proposed Promenade at Natomas is located at the corner of Truxel Road and Gateway Park Boulevard, just north of I-80. The project consists of three major components: the employment center (offices), the village commercial area, and the regional big box area. The preliminary plans analyzed for the purposes of this study include:

Land Use	Zoning	Quantity	Parking Spaces
Employment Center (office)	EC-50-PUD	504,000 square feet	1,593
Regional Commercial (village)	SC-PUD	198,000 square feet	1,214
Regional Commercial (big box)	SC-PUD	566,200 square feet	3,243

**Market Support for Proposed Project**

Using the above project description, BAE determined that there is sufficient demand in the relevant trade area to support the Promenade at Natomas without adversely affecting either the Downtown retail area or the Arden Fair area.

Based on the type of retail coming online in the North Natomas area (national chain big box), as well as the potential specialty stores in the village area, the relevant trade area for the Promenade at Natomas includes the areas along I-80 west to Davis, and east to Elkhorn Boulevard, and the areas along I-5 south to Greenhaven/Pocket, and north towards Yuba City. Thus, the trade area is more expansive in directions that offer little competition for comparable retail. Likewise, although the trade area expands northeast past Arden Fair, it only includes those residents that can access the North Natomas as easily as the Arden area.

Although there has been some concern as to whether the development of North Natomas as a regional retail center would harm the Downtown and Arden Fair area retail trade, BAE has determined that there would be minimal competition between the proposed project and these areas. The Downtown area contains a different mix of retail than North Natomas, and caters to a different group of customers than the Promenade at North Natomas. Likewise, although there will be some crossover in the retail mix in North Natomas and the Arden Fair area, there will be

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**Attachment 4 - Promenade at Natomas Retail Center Market Study**

little competition between these areas. As the main draw for the Arden Fair area is the Arden Fair super-regional mall, the Arden area will draw a much larger group of customers than North Natomas, and can be expected to offer shoppers a range of department store and specialty retail goods for which the Promenade at Natomas will not be a viable substitute.

Thus, there is little competition in the trade area for retail similar to that found in the North Natomas area, and existing retail centers should not feel threatened by the development of the Promenade at Natomas. BAE has estimated that there should be adequate demand to support the existing, planned, and proposed new North Natomas retail development, including the Promenade at Natomas, within the next three to six years. This market support will come through a combination of increased demand for continued residential growth along with maintaining, if not improving the ability to attract a portion of retail market support from outside the immediate North Natomas area. Additionally, as there is little competition, and plenty of demand, the additional center will serve to draw more customers into Sacramento to shop and will prevent sales tax leakage that occurs currently as local residents travel to locations outside of Sacramento, such as Roseville, to shop. As a result, the center will generate more sales tax revenues for the City.

**Project Conformity to ERA Study Recommendations**

In addition to requiring sufficient demand to attract developers and prospective retail tenants, the 2000 ERA study recommended that the City of Sacramento consider certain conditions when reviewing applications for new retail development in North Natomas. Specifically, the proposed development should be consistent with report recommendations including:

- Select desirable and differentiated true regional retail specialties for Natomas area freeway frontages
- Adopt a policy encouraging or requiring "paired" development of residential properties and community and neighborhood scale retail properties within the current Community Plan pattern of entitlements in North Natomas locations
- Develop community centers at specified locations in order to allow the city to assess the market for regional centers
- The careful allocation of community retail centers by the City, according to the North Natomas Community Plan, helps to direct and support the use of the existing Employment Center land use designations which are intended to host new employment generation
- Employment Center designations should not be flipped toward retail uses unless significant long-term sustainable regional retail attractions become unique opportunities because of the freeway adjacent locational opportunities
- To reduce the amount of vehicle travel required to obtain household convenience goods and services, and to provide for community and neighborhood district recognition

Based on the plans for the Promenade at Natomas, BAE finds that the project meets all of these requirements. The project includes an employment center, a differentiated mix of retail, and will help to create neighborhood recognition in the North Natomas area with a unique retail configuration that is not replicated within the primary trade area. The rapid absorption of recently

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Attachment 4 - Promenade at Natomas Retail Center Market Study

completed retail centers in the Natomas area, combined with the strong retailer interest shown in pending proposals demonstrates that the Natomas area has established itself as a strong market for retail goods and an attractive, competitive location within the northern part of Sacramento County.



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**Attachment 4 - Promenade at Natomas Retail Center Market Study****Introduction**

In anticipation of upcoming hearings on the Opus West development of the Promenade at Natomas, Opus West commissioned Bay Area Economics (BAE) to prepare a study to update the assessment of retail real estate market conditions and economic and demographic conditions and trends in the "Regional Retail Demand Attraction and Development" study that ERA completed in 2000 for the City of Sacramento. Specifically, the purpose of this study is to assess the changes in the Natomas retail trade area that have occurred after much new development since 2000, and to determine whether the conditions have, or will be met within the Natomas area in order to justify development of the proposed center.

**Project Description**

Opus West is proposing to develop a 104.8 acre retail center north of I-80 at the corner of Truxel Road and Gateway Park Boulevard, across the street from the existing Natomas Marketplace. The center will be called the Promenade at Natomas and will consist of 26.02 acres of office space, 21.8 acres for a pedestrian-oriented retail village, and 65.2 acres of big box retail space. This represents a five-acre reduction from earlier plans for the center. Initially, the plans consisted of 1,512,500 square feet of developable commercial space with 7,304 parking spaces, including space for an auto mall. However, updated plans exclude the auto mall and retain the Employment Center zoning on the southwestern portion of the site. Thus the site will accommodate 504,000 square feet of office space, 198,000 square feet of pedestrian-oriented village retail space, and 566,000 square feet of big box retail space for a total of 1,268,000 total developable square feet, and 6,050 parking spaces. Currently, Opus West anticipates that the following types of stores will likely occupy the big box portion of the site: a general merchandiser, a discount club warehouse, a clothing store, a linens store, an import store, an electronics store, a sporting goods store, and a bookstore<sup>1</sup>. The village portion will be comprised of more upscale boutique stores and restaurants.

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<sup>1</sup> Phone Interview with Bob Dong, Vice President of CB Richard Ellis. February 12, 2004. Mr. Dong has over 27 years of experience in the commercial real estate business and currently specializes in the North Natomas market.

**Attachment 4 - Promenade at Natomas Retail Center Market Study****Trade Area Economic and Demographic Conditions and Trends**

The purpose of this portion of the study is to define the likely trade area for the Promenade at Natomas, including any additional competing areas, and to identify all areas that will contribute market support for retail space located in the North Natomas Area in general and in the Promenade at Natomas specifically.

**Trade Area Definition**

Upon speaking with a local retail broker<sup>2</sup> and conducting a survey of existing residentially developed areas and existing shopping center developments, BAE determined that although few areas compete with North Natomas developments, the relevant trade area includes Davis, Woodland, North Natomas, South Natomas, North Sacramento, portions of downtown Sacramento, West Sacramento, portions of midtown Sacramento, portions of south Sacramento including parts of Greenhaven/Pocket and Land Park, north along I-5/99 towards Yuba City, and east along I-80 towards Greenback Lane/Elkhorn<sup>3</sup>.

One reason for the large retail trade area is that there are very few locations that compete with this shopping center. To the west, Vacaville has big box shopping with some chain restaurants. However, it has a different tenant mix than that proposed for the Promenade. Vacaville focuses on outlet center shops with some traditional stores. The Promenade will have traditional stores, some upscale boutiques, and a mix of boutique and chain restaurants. South of the development, the Downtown area including the Downtown Plaza and K Street Mall area offer an array of dining and shopping. The majority of this retail is marketed to daytime workers, business travelers, and residents of the immediate vicinity looking for traditional mall shopping. Thus, the big box shopping at the Promenade at Natomas will serve a different market niche than shopping in the downtown and midtown corridors. Additionally, there are similar retail stores in Elk Grove that capture some of the south Sacramento (Land Park, and Greenhaven/Pocket) market. Although some of this market will switch to the Natomas center, it is a fairly small niche. Finally, there is super-regional mall shopping to the east located along Arden Road and throughout the Arden area. This area contains Arden Fair Mall, as well as a host of additional traditional big box retailers. While many of the shops located in the Promenade will duplicate those in the Arden area, these two areas will be minimally competitive. The primary trade area for the Promenade will mostly include people who are located along I-80, I-5, and State Highway 99 north of Downtown. However, these people will still travel to either the Downtown Plaza or Arden Fair Mall for traditional mall retail needs. Furthermore, the Promenade may capture some demand from the Arden Fair area to the extent that some people who are located close to both I-5 and Business 80 would choose to shop in Natomas in an effort to avoid the traffic surrounding the Arden area. In this case, the Natomas market would serve as a release valve to decongest the

<sup>2</sup> Ibid.

<sup>3</sup> BAE used Census Tracts 6, 7, 8, 9, 10, 21, 22, 23, 24, 33, 39, 53, 64, 65, 67, 68, 70.00-70.14, 71, and 72.00-72.09 in Sacramento County, 101.01-101.02, 102.01-102.04, 103, 105.01-105.10, 106.02-106.08, 107.01-107.04, 108, and 112 in Yolo County, and 509, 510, and 511 in Sutter County to represent the trade area for demand in the North Natomas area.

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Attachment 4 - Promenade at Natomas Retail Center Market Study

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traffic from the marginal shoppers in Arden. Thus, the Promenade at Natomas will not significantly impact the demand for any of the areas that currently serve as a central location for shopping.

There are two other areas that could possibly serve as competitive nodes within the trade area. West Sacramento and Woodland have the potential to become retail centers that compete with North Natomas as regional shopping destinations. However, upon closer inspection both areas fall short in terms of their abilities to draw customers from a relatively large trade area. West Sacramento has experienced tremendous growth that will continue into the future, yet retailers are choosing to locate in North Natomas rather than West Sacramento. There are two reasons for this. First, the trade area in West Sacramento appears to be truncated by the Sacramento River and the Yolo causeway. Second, retailers are drawn to the higher population densities in North Natomas. In order to reach the same number of people in West Sacramento as North Natomas, the trade area for West Sacramento would need to be much larger than for North Natomas. The same applies for Woodland. As a result, West Sacramento and Woodland are generally considered "second-tier" locations for regional/destination retail and the big-box retailers that have chosen to open stores in these two areas have done so to meet demand within the local area, rather than to compete for regional. For example, Home Depot opened its Woodland store only after establishing its store in the Truxel Marketplace and finding that it was operating at capacity. The recent announcement of Wal-Mart's interest in a site at the Riverpoint development in West Sacramento is likely an example of a similar situation. Thus, West Sacramento and Woodland will undoubtedly attract new retail developments to serve their growing local populations; however, are unlikely to compete with Natomas as regional shopping destinations.

The main competitors for this development are the other North Natomas shopping centers. Currently there is the Marketplace shopping center at Natomas, which is located across the street from the Promenade site. This center contains Wal-Mart, Home Depot, Ross, Michael's, Kay-Bee Toys, as well as other large box retail establishments that will compete with similar stores in the Promenade center. Additionally, the Park Place center (which includes Raley's and Kohl's department store), located at the corner of Truxel and Del Paso Road also contains stores that will compete with the Promenade center. Although there is likely to be some competition between the shopping centers, in all likelihood, synergy that can develop between the two shopping centers because of their close proximity and the critical mass of retail space that will develop will lead to additional demand for the area, solidifying North Natomas' stature as a regional destination for shopping.

Although the North Natomas area will capture some demand from areas as far away as Davis, it will not serve the entire Davis market, as some Davis residents will continue to shop in Vacaville, and at the stand-alone big box retailers in Woodland. Additionally, it will not capture the entire downtown, midtown, or south Sacramento markets, as those residents may continue to shop in midtown, Arden, and Elk Grove. However, it is likely that the development will capture enough residents from these areas to warrant including them in the relevant trade area.

Although ERA examined only North Natomas, South Natomas, and North Sacramento in their study, BAE has defined the larger trade area for the purposes of this study. Since the opening of the Natomas Marketplace, North Natomas has positioned itself as a destination retail area. As

## Attachment 4 - Promenade at Natomas Retail Center Market Study

North Natomas is centrally located to several areas that are lacking in big box retail alternatives, it is likely that the North Natomas area will capture much of this demand. Further, as more retailers locate in the Truxel Road area, more shoppers will travel to the area to satisfy their shopping needs. Thus, an additional center will create synergies in the area that will draw more shoppers from further locations to not only the new center, but to other existing centers that will also benefit from the increased shopper travel to the area.

### Population and Household Trends

Due to the amount of residential development that has come online since 2000, BAE reviewed the population and household trends for residents in the relevant trade area in order to better assess their demand for goods and services that would be provided in the Promenade at Natomas development. Table 1 illustrates the population growth and household trends for the residents within the trade area in 2000 and 2003. Generally, the trade area exhibits a solid demographic profile that is attractive to retailers, and the household population has also been growing at a rapid rate.

**Population Growth Trends.** In 2000, ERA reported the trade area population as being 105,614 residents for their market area. At the same time, BAE's larger trade area had 254,612 residents<sup>4</sup>. As of 2003, the larger trade area had 270,471 residents. Thus the trade area population is growing at 2.0 percent annually. Given the amount of new housing construction in North Natomas in the last several years, this is not surprising.

**Household Type.** In 2000, there were approximately 91,020 households in the trade area. Of these households, approximately 56,220 (61.7 percent) were family households and 34,800 households were not. This reflects slightly fewer families than in the region where 67.2 percent of households were families. In 2003, there were 96,072 households in the trade area, with 58,579 (61.0) being family households. This decline in the relative number of families is consistent with the region, where 66.7 percent of households were family households.

**Household Size.** The average household size in the trade area is increasing. In 2003, there were approximately 2.71 persons per household in the trade area. This is a small increase from 2.68 persons per household in 2000. Additionally, this follows the pattern of the region, whose average number of persons per household increased from 2.65 persons to 2.67 persons per household between 2000 and 2003, respectively.

**Median Household Income.** As one would expect, the median household income in the trade area is increasing. This can be attributed to the housing development in the immediate area. As more new housing comes online, more households with higher income levels are moving into the trade area. In 2000, the median household income in the trade area was \$40,573. In 2003 it was \$44,191. Likewise, the median income in the region was \$46,242 in 2000 and \$50,726 in 2003. Thus while the region's median income grew at approximately 3.1 percent annually between 2000 and 2003, the median income in the trade area grew at a rate of 2.9 percent annually.

<sup>4</sup> Claritas, 2004.

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Attachment 4 - Promenade at Natomas Retail Center Market Study

**Age.** The age distributions for both the trade area and the region are similar, exhibiting the typical concentration of population under the age of 18 years, the bulge of population in the young adult to middle-age categories, and the smaller proportions of populations over the age of 65. However, the residents in the trade area are slightly younger, on average, than their regional counterparts. This may be due to many younger first-time homebuyers moving into the trade area. In terms of changes in age distribution over time, the trade area is consistent with the region's pattern whose most noticeable pattern is a slight aging of the general population.

The trade area's median age of 31.5 years is relatively low compared to the region's median age of 35.3. However, both areas are consistent in terms of an increasing median age between 2000 and 2003.

**Household Tenure.** As of 2003, about 53.2 percent of households in the trade area own their own homes. In the region, approximately 61.8 percent of households are homeowners. In 2000, approximately 52.3 percent of households in the trade area owned their homes. This growth is primarily attributable to the new housing being built in the North Natomas area. Notwithstanding, all areas have experienced a notable increase in ownership between 2000 and 2003, perhaps due to the historically low mortgage interest rates that have allowed more households to qualify to purchase homes, even as home prices have escalated. Additionally, a large component of demand in growth areas like Natomas originates from households from more expensive locales in the Bay Area who are drawn to the area seeking homeownership opportunities.

## Attachment 4 - Promenade at Natomas Retail Center Market Study

Table 1: Population and Household Trends

	Natomas Trade Area (a)			Sacramento Region (b)		
	2000	2003	Annual Growth 00-'03	2000	2003	Annual Growth 00-'03
Total Population	254,612	270,471	2.0%	1,875,787	2,012,835	2.4%
Households	91,020	96,072	1.8%	692,331	740,462	2.3%
Average Household Size	2.68	2.71	0.4%	2.65	2.67	0.3%
Median Household Income (c)	\$40,573	\$44,191	2.9%	\$46,242	\$50,726	3.1%
Median Family Household Income (c)	\$50,358	\$55,844	3.5%	\$55,780	\$62,290	3.7%
Per Capita Income	\$19,243	\$21,251	3.4%	\$22,097	\$24,556	3.6%
Age Distribution						
Under 18	26.4%	26.0%		27.2%	26.7%	
18-24	15.3%	14.6%		9.7%	9.8%	
25-44	29.5%	28.8%		30.1%	28.4%	
45-54	12.5%	13.2%		13.6%	14.4%	
55-64	6.9%	8.0%		8.1%	9.2%	
65+	9.4%	9.4%		11.4%	11.5%	
Total	100.0%	100.0%		100.0%	100.0%	
Median Age	30.7	31.5	0.8%	34.53	35.31	0.7%
Household Type						
Families	61.8%	61.0%		67.3%	66.6%	
Non-Families	38.2%	39.0%		32.7%	33.4%	
Household Tenure						
Renter	46.7%	46.8%		38.7%	38.2%	
Owner	52.3%	53.2%		61.3%	61.8%	

## Notes:

(a) The trade area is comprised of the following census tracts: Sacramento County (06067); 000600, 000700, 000800, 000900, 01000, 02100, 02200, 02300, 02400, 03300, 03900, 05300, 06400, 06500, 06701, 06702, 06800, 07001, 07004, 07008, 07009, 07010, 07011, 07012, 07013, 07014, 07100, 07201, 07202, 07204, 07206, 07207, 07208, 07209; Sutter County (06101); 50900, 51000, 51009; Yolo County (06113); 10101, 10102, 10201, 10203, 10204, 10300, 10501, 10505, 10506, 10507, 10508, 10509, 10510, 10602, 10605, 10606, 10607, 10608, 10701, 10703, 10704, 10800, 11203, 11204, 12205, 12206.

(b) Sacramento Region is comprised of the following counties: El Dorado, Placer, Sacramento, Sutter, and Yolo Counties.

(c) Median Income is reported by Claritas using 2002 dollars for 2003 and the US Census 2000 is in 1999 dollars.

Sources: Claritas Inc., 2003; U.S. Census, 2000; Bay Area Economics, 2004.

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Attachment 4 - Promenade at Natomas Retail Center Market Study

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**North Natomas Retail Market Conditions**

In order to determine whether the Promenade will fill in pent-up demand for retail in the trade area or compete with some of the Sacramento retail market, BAE reviewed the current retail market conditions in North Natomas. This analysis includes reviewing existing competitive supply, current vacancy rates, as well as absorption rates for other retail centers in the area.

**Existing Competitive Supply.** In 2000, ERA found that the retail market was virtually untapped in the North Natomas Area. Only the Natomas Marketplace was open. As such, much of the market was underserved. Today, although Park Place, located at the northeast corner of Natomas Boulevard and Del Paso Road, is now also open, the market is still underserved. While each of these two centers includes a number of big box tenants, there are still several markets underserved, including the market for a discount warehouse store, an imports home store, apparel stores, and electronics stores. Additionally, there are three convenience good-oriented strip centers that serve more local than regional needs. Table 2 shows the tenant list for the two existing centers in the North Natomas area, which primarily provide neighborhood and community shopping opportunities but also provide some big-box/destination retail shopping.

**Vacancy Rates.** According to several regional market trend reports, Sacramento experienced nearly record low vacancy rates (3.9 percent<sup>5</sup>) in retail space in the second half of 2003. According to a local broker<sup>6</sup>, the vacancy rates in the North Natomas area are even lower, and close to zero. This is due to relatively little retail space in the area coupled with extensive home starts. In the near future, as more retail space comes online, vacancy rates in the region and the North Natomas area may increase slightly; however, they should remain below five percent in the region and close to zero in the North Natomas area.

**Absorption Rates.** In addition to having relatively low vacancy rates, Sacramento has also enjoyed relatively high absorption in the recent past, with new areas including North Natomas absorbing nearly 100 percent of new retail space. According to Colliers' retail market report for Sacramento, the region absorbed over 1.6 million square feet of retail space in 2003, with an additional 1.1 million under construction at the end of the year<sup>7</sup>. These figures do not include freestanding retail buildings, smaller centers, or regional malls.

It's important to note that although Table 2 shows the Marketplace at Natomas and Park Place absorbing over a multi-year period, the delay in absorption came from a phasing in of construction, rather than from needing time to find tenants. Additionally, one local broker suggested that four retailers compete for every new retail space coming online in the North Natomas area, such that if there is a space for a bank, four different local branches express serious interest in that space. Another broker stated that the anchors for both phases of Park Place signed leases before the center broke ground, and the remaining space became fully leased during construction. This type of performance for newly developed centers in the area is evidence of the

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<sup>5</sup> Colliers International Retail Market Report, Fourth Quarter, 2003.

<sup>6</sup> Phone Interview with Bob Dong, Vice President of CB Richard Ellis, February 12, 2004.

<sup>7</sup> Colliers International Retail Market Report, Fourth Quarter, 2003.

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Attachment 4 - Promenade at Natomas Retail Center Market Study

North Natomas area's market acceptance as a shopping venue from both the consumer and retailer standpoint.



## Attachment 4 - Promenade at Natomas Retail Center Market Study

Table 2: Existing Competitive Supply

Natomas Marketplace				Park Place Shopping Center			
(60 Acres; Retail Space 600,000 approx. sq. ft. total) Northwest Corner of Truxel Road and Interstate 80				(43 acres; Retail Space 270,000 approx. sq. ft. total) Northeast Corner of Natomas Boulevard and Truxel Road			
Tenant	Opened	Square Feet		Tenant	Opened	Square Feet	
In N Out Burgers	Aug '98	3,035		Phase I			
Quizno's, Starbuck's	Aug '98	3,786		Raley's Supermarket	Dec '02	65,200	
On The Border Mexican Restaurant	Aug '98	6,972		Round Table Pizza	2003	3,908	
Del Taco Drive-thru	Aug '98	2,164		H & R Block	2003	1,662	
Pacific Bell PCS Store	1998/99	4,218		Wells Fargo Bank	2003	5,500	
Food Court w/ Dairy Queen, Bank of America, Charley's Steakery	1998/99	7,519		Subway	2003	1,181	
Regal Cinemas (16 screens)	Aug '99	62,880		Bella Bru	2003	3,908	
Food Court 2 Mandarin China Inn	1998/99	3,851		Blockbuster Video	2003	4,500	
Aaron Brothers, Jamba Juice	1998/99	12,128		Y2K Nails	2003	1,050	
Steve's Place Pizza & Pasta	1998/99	3,751		Five Star Cleaners	2003	980	
Applebee's	Aug '98	5,723		Great Clips	2003	1,050	
Home Depot	Aug '98	107,393		Dr. Misano, D.D.S.	2003	1,750	
Staple's	Aug '98	24,172		Cingular Wireless	2003	1,050	
PetSmart	Aug '98	35,160		Postnet Post Office	2003	1,050	
Sally Beauty Supply & Crescent Jewelers	1998/99	13,800		Pick Up Stix	2003	1,820	
Wal-Mart	Aug '98	128,567		Liz Sassy Beauty Salon	2003	2,040	
Famous Footwear & Claire's	1998/99	5,400		Jamba Juice	2003	1,480	
Michael's	Aug '98	25,687		Faarfame	2003	1,480	
Ross	Aug '98	30,187		Car's Jr.	2003	3,800	
KB Toys, Dentist	1998/99	10,600		Shell Oil	2003	3,800	
Shell Oil	Aug '98	3,280		Pita Pita	2003	1,343	
				Phase II			
				Kohl's (a)	Mar '04	88,400	
				Bed Bath and Beyond (a)	2004	30,000	
				Marshall's (a)	2004	30,000	
				Borders Bookstore	Feb '04	25,000	
				Dress Barn	2004		
				Lane Bryant	2004		
				Sirings Restaurant	2004		
				Sleep Train	Mar '04	6,000	

Notes:

(a) Square Footages are estimates.

Source: City of Sacramento Planning Department, 2004; Donahue Schriber, 2004; Bay Area Economics, 2004.

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**Attachment 4 - Promenade at Natomas Retail Center Market Study****Approved and Proposed North Natomas Area Retail Centers**

In addition to assessing the current retail conditions in North Natomas, BAE looked at the amount and type of planned and proposed retail development and residential development in order to get a clearer picture of what other new retail developments would compete with existing commercial centers as well as the proposed project in the future and how much additional retail demand could be created by new housing development in the area.

**Planned and Entitled Retail Developments.** There are approximately 1.1 million square feet of future retail space currently under construction, planned, and pending in the North Natomas area, not including the Promenade at Natomas. Currently, 480,400 square feet are under construction, 193,100 square feet are approved, and 506,300 square feet are either proposed or have their applications pending. This includes a hotel complex located near the airport, a convenience oriented center, and a gas station. Since the majority of the hotel complex will involve hotel space, rather than retail space, BAE excludes it as competitive space for the remainder of the analysis. There are approximately 986,600 square feet of retail space that will accommodate some of the resident demand. Although there is a wide mix of likely tenants, most fit into the neighborhood or community commercial types (Hollywood Video, Bank of America, Safeway, etc.), while a small portion will serve the region. Table 3 shows the planned and proposed retail developments in North Natomas, with prospective tenant lists for future North Natomas retail centers.

**Table 3: Planned and Proposed Retail Developments in North Natomas**

Site Name	Status	Square Feet
Natomas Crossing Hotel Complex <i>small amount of retail within hotel</i>	Approved	193,086
Sizzler Restaurant	Pending	7,161
Truxel Station	Pending	52,900
Natomas Crossing Parcel 7	Pending	10,000
Marketplace West	Pending	109,868
Northgate Retail	Pending	8,800
Plesco Retail II	Under Construction	24,389
Town Center <i>Proposed Tenants include: Safeway, Rite Aid, Bank of America, Hollywood Video</i>	Under Construction	130,584
Park Place Phase II <i>Proposed Tenants include: Bed Bath and Beyond, Marshall's, Border's Bookstore, Dress Barn, Lane Bryant, Strings Italian Rest., Sleep Train</i>	Under Construction	247,896
Park Place Phase III <i>No proposed tenants at this time</i>	Under Construction	14,000
Gold's Gym	Under Construction	63,500
Natomas Village Commercial <i>Proposed Tenants include: Drug Store, and neighborhood retail</i>	Proposed	74,250
Bridgecross Plaza <i>Smaller scale neighborhood retail, and some small office space</i>	Proposed	31,750
Heritage Plaza <i>Proposed Tenants include: Market (57,000 sq. ft.), and community/neighborhood retail</i>	Proposed	122,550
West Lake <i>Proposed Tenants include: Market or Drug Store (57,000 sq. ft.), with community/neighborhood retail</i>	Proposed	89,000
<b>Total Approved: 1</b>	<b>Total Square Feet:</b>	<b>193,086</b>
<b>Total Proposed/Pending: 9</b>	<b>Total Square Feet:</b>	<b>506,279</b>
<b>Total Under Construction: 5</b>	<b>Total Square Feet:</b>	<b>480,369</b>
<b>Total Retail Space, Less Hotel Complex</b>		<b>986,648</b>

Source: City of Sacramento, 2004; Bay Area Economics, 2004.

**Attachment 4 - Promenade at Natomas Retail Center Market Study****North Natomas and Trade Area Retail Demand**

The purpose of this portion of the study is to update and project the current and potential future demand for the North Natomas area and the larger surrounding trade area, to estimate how much demand there is to support the existing retail projects, planned and proposed retail projects, and the Promenade at Natomas center. In order to determine this future demand, BAE examined planned and proposed residential development in the North Natomas area, and compiled population and employment projections for North Natomas and the larger trade area.

**Planned and Proposed Residential Units**

For this portion of the study, BAE looked at the residential units that will come online in the North Natomas area.

**Planned and Entitled Residential Developments.** There are 22,000 single-family units and 11,192 multifamily units planned and entitled for the North Natomas area<sup>8</sup>. As this area is generating the most development of new homes in the trade area, it represents the bulk of the new homes coming online in the trade area. Currently, there is a 95 percent occupancy rate for housing units in the trade area<sup>9</sup>. Assuming 95 percent occupancy and an average of 2.71 residents per household<sup>10</sup>, there will be approximately 85,400 new residents in North Natomas at buildout in approximately 2015<sup>11</sup>. New homes will create demand that precedes the development of the shopping center to the extent that they are finished and occupied before the center.

**Population Projections**

Since the relevant trade area for the center does include portions of the region outside of the North Natomas area, BAE also looked at population projections for the entire trade area. According to Sacramento Area Council of Government (SACOG) projection figures, there should be approximately 275,421 residents in 2005, growing to 336,226 residents in the trade area in 2015. Additionally, there will be 116,299 households in the trade area in 2015. Table 4 illustrates the population and housing projections between 2003 and 2015 in the market trade area. Comparing the population projections for the larger trade area with the estimated population growth in the North Natomas area reveals that the City of Sacramento's expectation for growth in the North Natomas area exceeds SACOG's projections for the larger trade area, meaning that the experience with development of North Natomas so far has exceeded growth expectations at the time that the North Natomas Community Plan was prepared, and at the time SACOG prepared its latest round of projections. Based on this experience, it is not surprising that retail developers have accelerated their plans for building in the area as well, in response to the rapid rate of residential absorption.

<sup>8</sup> According to the Sacramento Planning Department

<sup>9</sup> Claritas, 2003

<sup>10</sup> Ibid.

<sup>11</sup> Based on conversations with Sacramento City Planning Department staff regarding the pace of development in the North Natomas area, BAE assumes all of these units will be built and on the market by 2015. Personal communication, Greg Bitter, City of Sacramento Planning Department, March 2004.

**Attachment 4 - Promenade at Natomas Retail Center Market Study****Employment Projections**

Although the Natomas area draws from a relatively large trade area in terms of demand from residents, the trade area for demand from daytime employees is limited to the North Natomas area. While many residents of outlying areas will travel to the Promenade to shop, workers are limited in their ability to shop during working hours, meaning that people working in outlying parts of the retail trade area will not likely travel to the Promenade at Natomas to shop unless they also live within the trade area and do their shopping during non-work hours. Nevertheless, nearby workers can be a significant source of market support for new retail space. According to SACOG, there were approximately 4,950 workers in the trade area in 2003<sup>12</sup>, and approximately 6,154 jobs in North Natomas in 2005, increasing to 12,233 in 2015. Thus the number of jobs will approximately double in the following ten years.

As a general rule of thumb derived from worker surveys conducted by the International Council of Shopping Centers, office and retail workers can be expected to spend at least \$5.00 per day, on average, on retail goods in areas surrounding their workplaces. This suggests that by 2015 existing and projected trade area workers will generate approximately \$15.3 million in retail and restaurant sales per year, which is capable of supporting approximately 72,500 square feet of retail space<sup>13</sup>. Table 5 illustrates the employment projections in the North Natomas area.

As the Natomas area becomes more established as a location for office development (which is helped by the availability of housing and daytime shopping and services) the Natomas area may well exceed the SACOG projections for employment growth. For example, the EC portion of the proposed Promenade at Natomas project will add a maximum of 504,000 square feet of office space and 764,000 square feet of retail space, which translates into approximately 2,016 new office workers and 1,528 retail workers, assuming one worker per 250 square feet of office space and one worker per 500 square feet of retail space. Using the assumption of \$5.00 per worker per day in daytime worker expenditures translates into a total of \$4.4 million in worker spending annually<sup>14</sup>, or support for approximately 21,000 square feet of retail/restaurant space from within the development alone<sup>15</sup>.

**North Natomas and Trade Area Demand**

In order to assess the level of demand per capita in North Natomas and the trade area, BAE used the California State Board of Equalization's 2002 taxable sales figures for the five county Sacramento region, including Sutter County, to determine the total taxable sales in the region. Then BAE estimated the per capita amount of retail space that the trade area population supports using the 2002 population for the region and an estimate of the average sales per square foot (\$211.14) in typical retail shopping centers<sup>16</sup>. As taxable sales generally account for 80 percent of total sales, BAE inflated the taxable retail space per capita figure to generate the total retail space per capita and derived a figure of 61.36 square feet. Using this assumption, BAE was able

<sup>12</sup> SACOG 2001 employment projections for North Natomas

<sup>13</sup> Assuming each worker spends \$5 per day, on average, in a 50 week work-year, and that each square foot of retail space generates \$211.14 in receipts.

<sup>14</sup> Assuming a 50 week work-year.

<sup>15</sup> Assuming \$211.14 in receipts per square foot of retail space

<sup>16</sup> 2002 National Research Bureau Shopping Center Census

## Attachment 4 - Promenade at Natomas Retail Center Market Study

to determine the current demand in North Natomas and the trade area, as well as the potential demand in 2015 based on existing and projected population levels. Table 6 illustrates the retail space per capita calculations, and Table 7 shows the total current and future demand within North Natomas and the trade area, expressed in square feet of retail space.

**Current Retail Demand.** Currently, there are 796,750 square feet of retail space in North Natomas, in the Marketplace at Natomas and Park Place shopping centers. Additionally, there are approximately 9,663 residents<sup>17</sup> and 4,950 employees currently in North Natomas. Using the above estimate of total sustainable retail space per capita, there is currently enough demand within North Natomas itself to sustain approximately 593,000 square feet of retail space from the residents. Since the low vacancy rates and high absorption rates indicate that retail is healthy in North Natomas, we can infer that demand from outside of North Natomas, in the outlying areas of the trade area, accounts for the remaining demand. Thus, at least 34 percent of market support for retail space in North Natomas comes from residents living outside of the North Natomas area.

A typical trade area requirement for big box users is approximately 100,000 people within five to ten miles. Since the trade area in this study has approximately 270,000 residents, there is potentially enough demand for two to three users in each of the different big-box segments (e.g., Wal-Mart and Target in general merchandise, Home Depot and Lowes in building material and home improvement, etc.).

**Future Market Support for Planned and Proposed Retail.** Including the Promenade at Natomas, other planned and proposed retail, and the current retail stock in North Natomas, the potential retail inventory in North Natomas is approximately 2.5 million square feet. Based on the retail space standard of 61.4 square feet per capita, this amount of space would require market support from approximately 41,000 people. If the future retail development is successful at capturing approximately 34 percent of its market support from outside the North Natomas area, as existing North Natomas retail does, then the North Natomas population may only need to reach approximately 27,000 residents before it can support this amount of retail space.

As indicated previously, the City of Sacramento Planning Department has estimated that buildout in North Natomas will occur by 2015, and we estimate this will yield a population of approximately 85,400 persons. Given a 2003 population of 9,663 persons, this translates to an approximately 20 percent annual growth rate within North Natomas or an average of about 6,300 residents each year for the period, compared to about two percent annual growth in the trade area overall. This means that the core customer base will likely be growing faster in North Natomas than in other areas within the trade area.

Depending on whether one assumes that the growth in North Natomas population will grow at a 20 percent annual compound rate or by about 6,311 residents per year on average, the time for the area to reach a population of approximately 27,000 is between three and six years. In other words, even using the more conservative assumption about the rate of residential growth in the North Natomas area which suggests it would take about seven years for the area to have enough population to support the current inventory of existing, planned, and proposed retail development,

<sup>17</sup> North Natomas is defined using SACOG RAD data

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this appears to represent a reasonable balance between planned retail development and anticipated residential development in the area.

The differential growth rate projected for North Natomas versus the rest of the trade area means that North Natomas will represent a larger and larger share of the overall trade area population over time. This is further evidence that North Natomas has a unique opportunity to position itself as a destination retail center. Further, as more retail stores open in North Natomas, more residents from other areas within the trade area can be expected to shop in North Natomas, meaning that the proportion of sales coming from outside of North Natomas but within the trade area will potentially grow beyond the 34 percent figure assumed above. The North Natomas area will be able to achieve the critical mass required to make it a regional destination center. Thus, the North Natomas location represents a good opportunity for the Promenade to secure a prime position within the trade area and ensure that the project's village component will reach its potential to serve a wide mix of customers within a retail setting that is unique within the trade area.

## Attachment 4 - Promenade at Natomas Retail Center Market Study

**Table 4: Trade Area Population and Housing Projections, 2003 to 2015**

Year	Trade Area Population (a)	Number of Households	Cumulative			
			Increase in Population	Total New Housing Units (b)	New Multifamily Units (c)	New Single- Family Units (c)
2003	270,471	-	-	-	-	-
2005	280,461	99,181	9,990	3,686	1,724	1,962
2010	307,080	107,399	36,609	13,509	6,318	7,191
2015	336,226	116,299	65,755	24,264	11,348	12,916

**Notes:**

(a) The trade area is comprised of the following census tracts: Sacramento County (06067): 000600, 000700, 000800, 000900, 01000, 02100, 02200, 02300, 02400, 03300, 03900, 05300, 06400, 06500, 06701, 06702, 06800, 07001, 07004, 07007, 07008, 07009, 07010, 07011, 07012, 07013, 07014, 07100, 07201, 07202, 07204, 07206, 07207, 07208, 07209; Sutter County (06101): 50900, 51000, 51000; Yolo County (06113): 10101, 10102, 10201, 10203, 10204, 10300, 10501, 10505, 10506, 10507, 10508, 10509, 10510, 10602, 10605, 10606, 10607, 10608, 10701, 10703, 10704, 10800, 11203, 11204, 12205, 12206.

(b) Converts population to housing units using 2.71 persons per household.

(c) Assumes 2003 ratio of rental units to for-sale units.

Sources: Claritas Inc., 2003; U.S. Census, 2000; Bay Area Economics, 2004.



## Attachment 4 - Promenade at Natomas Retail Center Market Study

**Table 5: North Natomas Employment Projections, 2003 to 2015**

<u>Year</u>	<u>North Natomas Employment (a)</u>	<u>Cumulative Increase in Employment</u>	<u>Annual Growth</u>
2003	4,950	0	-
2005	6,154	1,204	12%
2010	9,544	4,594	9%
2015	12,233	7,283	5%

**Notes:**

(a) North Natomas is defined by SACOG RAD Data, 2004.

Sources: SACOG, 2004; Bay Area Economics, 2004.

## Attachment 4 - Promenade at Natomas Retail Center Market Study

Table 6: Total Retail Space Per Capita, 2002

	El Dorado	Placer	Sacramento	Sutter	Yolo	Region
Taxable Retail Sales, 2002	\$994,293,000	\$4,161,204,000	\$12,088,977,000	\$831,962,000	\$1,363,784,000	\$19,440,220,000
Population, 2002	156,299	248,399	1,223,499	78,930	168,660	1,875,787
Sales Per Square Foot						\$211.14
Taxable Retail Sales, Per Capita						\$10,364
Taxable Retail Space, Per Capita (Square Feet)						49.08
Total Retail Space, Per Capita (Square Feet) (a)						61.36

Note:

(a) Taxable retail uses account for approximately 80 percent of retail space.

Sources: California Department of Finance, 2003; California State Board of Equalization, 2003; National Research Bureau Shopping Center Database and Statistical Model, 2003; Bay Area Economics, 2004

## Attachment 4 - Promenade at Natomas Retail Center Market Study

**Table 7: Retail Market Support Calculations for North Natomas and the Trade Area**

<b>Estimated North Natomas Retail Market Support, 2003</b>	<b>North Natomas (c)</b>	<b>Trade Area (d)</b>
Population, 2003	9,663	270,471
Total retail square feet, resident demand within area (a)	592,871	16,595,023
Total existing retail space, 2003	796,750	n.a.
<b>Total Demand from Outside North Natomas</b>	<b>34%</b>	
<b>Projected North Natomas Retail Market Support, 2015</b>		
Population, 2015	85,400 (e)	336,226
Total retail support, resident demand 2015 (a)	5,239,804	20,629,475
Potential Demand from Outside North Natomas (b)	1,801,887	
<b>Total Potential Retail Market Support, 2015</b>	<b>7,041,691</b>	
<b>Projected North Natomas Retail Supply/Demand Balance, 2015</b>		
Existing Space, 2003	796,750	
Other Planned, Proposed, and Approved Retail Space (Table 3)	986,648	
Proposed Promenade Retail Space	751,000	
Total Existing, Planned and Proposed Retail space, 2015	2,534,398	n.a.
<b>Total Unmet Demand, 2015</b>	<b>4,507,293</b>	

**Notes:**

- (a) Residents demand 61.36 square feet per capita.
- (b) Assumes that with increase in North Natomas retail base, the area's future retail inventory will be capable of attracting at least as much market support from the portions of the trade area outside North Natomas as at present.
- (c) North Natomas is defined using SACOG RAD data.
- (d) The trade area is comprised of the following census tracts: Sacramento County (06067): 000600, 000700, 000800, 000900, 01000, 02100, 02200, 02300, 02400, 03300, 03900, 05300, 06400, 06500, 06701, 06702, 06800, 07001, 07004, 07007, 07008, 07009, 07010, 07011, 07012, 07013, 07014, 07100, 07201, 07202, 07204, 07206, 07207, 07208, 07209; Sutter County (06101): 50900, 51000, 51000; Yolo County (06113): 10101, 10102, 10201, 10203, 10204, 10300, 10501, 10505, 10506, 10507, 10508, 10509, 10510, 10602, 10605, 10606, 10607, 10608, 10701, 10703, 10704, 10800, 11203, 11204, 12205, 12206.
- (e) Estimated North Natomas population in 2015 is based on 95% occupancy for 22,000 single family and 11,100 multifamily units, to be built out by 2015 per City of Sacramento Planning Department.

Sources: SACOG; 2003, Sacramento Planning Department, 2004; Bay Area Economics, 2004

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**Attachment 4 - Promenade at Natomas Retail Center Market Study****Conformity to ERA Findings for North Natomas**

In their 2000 study, ERA identified six findings that should be considered when reviewing the development of future retail centers in the North Natomas area. Following are the findings, as well as evidence that the Promenade will work well within North Natomas' structure.

**Select desirable and differentiated true regional retail specialties for Natomas area freeway frontages.** The Promenade at Natomas satisfies this requirement. The big box portion of the project, which is adjacent to the county industrial uses and near the freeway is differentiated from other centers in the trade area as it is a mix of regional retail, but does not include a super-regional mall. It is further differentiated as the village portion will include boutique dining and retail that cannot be found in other retail centers in the trade area, and because it is integrated with a proposed employment center.

**Adopt a policy encouraging or requiring "paired" development of residential properties and community and neighborhood scale retail properties within the current Community Plan pattern of entitlements in North Natomas Locations.** Since ERA's report was adopted in 2000, there has been extensive residential development within the North Natomas area, with little retail development. Development trends indicate that buildout of the North Natomas residential development will surpass the SACOG growth projections for the area. The Promenade could provide retail opportunities for some of the unmet demand of new residents in the North Natomas area, as well as other underserved areas within the trade area. The Promenade at Natomas would provide a means for the City to recapture some of the lost sales tax from residents traveling into Roseville to shop.

**Develop community centers at specified locations in order to allow the city to assess the market for regional centers.** The developments of Park Place and the Towne Center in North Natomas have had the opportunity to proceed to provide community commercial centers. These developments are over 70 percent built and leased, respectively, and there are substantial numbers of regional retailers still looking to build in North Natomas, meaning there is still unmet demand for additional retail centers.

**The careful allocation of community retail centers by the City, according to the North Natomas Community Plan, helps to direct and support the use of the existing Employment Center land use designations, which are intended to host new employment generation.** The Promenade at Natomas has plans for a 504,000 square foot employment center and does not redesignate land from employment center (EC) use to retail. Thus, the Promenade at Natomas will generate approximately 2,000 new office workers, as well as approximately 1,500 new workers associated with the retail establishments. The retail component of the Promenade at Natomas, particularly the village portion, should serve as an attractive daytime shopping and dining amenity for the EC use at this location and also for other nearby office buildings.

**Employment Center designations should not be flipped toward retail uses unless significant long-term sustainable regional retail attractions become unique opportunities because of the freeway adjacent locational opportunities.** The Promenade at Natomas as stated above does not convert EC property to retail property. As there are other employment centers

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Attachment 4 - Promenade at Natomas Retail Center Market Study

surrounding the project location on the west, the Promenade will mesh well with the surrounding land use plans.

**Reduce the amount of vehicle travel required to obtain household convenience goods and services, and to provide for community and neighborhood district recognition.** The Promenade at Natomas is designated to serve the EC community needs for convenience goods, and thus will reduce the traffic associated with lunch time and after work shopping. The big-box portion of the project will help to meet certain portions of local resident demand for everyday goods that may otherwise have been satisfied by driving to more distant shopping centers to obtain goods or selection not available in North Natomas.

**Attachment 4 - Promenade at Natomas Retail Center Market Study****Conclusion**

There are three major concerns regarding the addition of the Promenade at Natomas to the retail landscape in the North Natomas area. First, there are concerns that the addition of retail in North Natomas will compete with other existing regional shopping centers within Sacramento. Second, the City needs to know whether there is sufficient demand to support additional retail in the North Natomas area; and finally, the development must fit within the City's vision for North Natomas.

**Potential Competition with Other Retail Areas**

Although the North Natomas retail centers will compete with each other, insofar as more than one bookstore or electronics store, etc. is located in the immediate vicinity, there will be little adverse affect from new competition, as the retail demand is growing rapidly, and additional retail stores will help the area reach critical mass and turn into a recognized regional shopping center that offers consumers the range of selection to which they have become accustomed. In other words, while more stores will be competing for the expenditures of trade area residents, as the available selection increases, more residents will consider this a viable destination for shopping instead of traveling to an area like Roseville.

In order to establish itself as a regional destination for shopping, there must be a diverse mix of national chain big boxes, in order to draw enough people from the edges of the trade area. While typical big box general merchandise trade areas require approximately 100,000 residents, the relevant trade area for North Natomas already has 270,000 residents, meaning that there is adequate market support for two or three different big box users in each category within the trade area. Given its good location, visibility, and freeway access, North Natomas appears well-positioned within the trade area to compete to attract the critical mass of retail activity that will make it a primary hub of retail activity to serve the larger trade area. As more nationally recognized big box stores locate around the North Natomas, Truxel Road area, the benefits of additional national retail chains will overshadow any competition between the centers.

Likewise, the area is unlikely to compete with the Arden area or the downtown shopping centers, as those areas have a different mix of tenants and their own distinct trade areas. In the long-run the North Natomas area may draw marginal shoppers from the Arden area who would not be visiting Arden Fair Mall, and who would have an easier commute to North Natomas due to more direct routes, or easy avoidance of traffic. However, most Arden area shoppers, and particularly those visiting Arden Fair Mall will not be able to easily substitute away from traditional department stores and other offerings of the super-regional mall to shops in the North Natomas area. Similarly, business workers and State workers who patronize the Downtown/K Street Mall stores and restaurants during working hours, as well as those visiting on business, will also be unable to easily substitute their shopping and dining to the North Natomas area. Thus, with a different mix of retail establishments, and a different clientele, there will be little competition between the Promenade at North Natomas and the Downtown Plaza/K Street Mall and peripheral retail establishments.

**Ability to Serve Trade Area Demand**

The retail market in Sacramento is quite healthy, with low vacancy rates, and high absorption rates. Further, with only a relatively small retail base, North Natomas retail developments

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Attachment 4 - Promenade at Natomas Retail Center Market Study

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already draw an estimated 34 percent of their market support from areas outside of North Natomas but within the trade area. Including the Promenade at Natomas, current existing retail, and the planned and proposed retail, there will be a total of approximately 2.5 million square feet of retail space in North Natomas. BAE has estimated that the North Natomas area population base, combined with the area's ability to draw approximately a third of its market support from elsewhere in the trade area will mean that the area will support this amount of new retail space within the next three to six years. Given the pace that other approved retail spaces have been built out in North Natomas over the last several years, this represents a reasonable absorption period the additional retail development that is planned and proposed at this time, including the Promenade at Natomas.

North Natomas is an advantageous location for the Promenade as it creates an opportunity for Sacramento to develop a center that will effectively compete for regional/destination shopper demand from the larger trade area, which will allow North Natomas to support a larger amount of retail space than would be possible strictly from local resident market support. Additionally, the Promenade has the potential to stand out among the other centers within North Natomas as well. The village portion will differentiate the center and offer boutique level services that are not offered at the other centers in North Natomas. Thus, the Promenade has the unique opportunity to bring differentiated upscale retail to a destination retail center that draws customers from throughout the trade area. Taking advantage of the freeway visibility of the site along I-80 and the potential to create synergy with the Natomas Marketplace center, the Promenade at Natomas would speed up the process for North Natomas to reach the critical mass required for the area to become a regional destination that would be effective in helping to stem sales leakage to south Placer County. Further, since some consumers will travel from outside of Sacramento (i.e., Yolo and Sutter Counties) to North Natomas, the City of Sacramento can expect to capture new sales tax dollars from non-residents.

**Conformity to Findings in ERA Report**

In addition to requiring minimal competition with existing regional shopping centers, and sufficient demand, ERA identified six findings or conditions that are to be considered before new retail development is approved in the North Natomas area. The findings generally fall into one of three categories having to do with differentiating the Promenade and Natomas retail, fostering the development of employment centers, and developing community centers along with residential development in order to better serve North Natomas residents. The Promenade at Natomas satisfies all of these requirements. First, the village portion of the project will include upscale boutique stores and restaurants, and will be pedestrian oriented. This will act to differentiate both North Natomas from other big box centers, as in Roseville and Vacaville, and the Promenade within North Natomas. Further, it will provide a central dining and people-watching venue for North Natomas residents. Second, the Promenade site includes a 504,000 square foot employment center, which will generate approximately 2,016 jobs in the area, in addition to the jobs associated with the retail portions of the site. As the Promenade will be located next to several other employment centers, its own office space will allow it to mesh well with the surrounding uses. Finally, there has been substantial residential development, coupled with little retail development in the North Natomas area. Thus, the conditions are such to warrant an additional retail center. Although the Promenade will not necessarily have community retail tenants, it will be located close enough to the highway to keep incoming traffic out of residential

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Attachment 4 - Promenade at Natomas Retail Center Market Study

neighborhoods in the area thus acting as a sales tax generator for the City, while minimizing the traffic impacts on the residents.

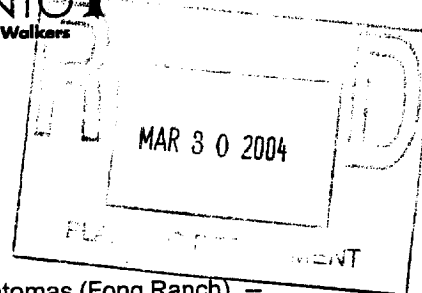


## Attachment 5 - Walk Sacramento Letter (3/24/04)



March 23, 2004

Greg Bitter  
City of Sacramento  
North Area Planning Team  
1231 I Street, Room 300  
Sacramento, CA 95814



Re: Project Notification for The Promenade at Natomas (Fong Ranch) -  
(Project No. P00-033)

Dear Mr. Bitter:

*WALKSacramento* is pleased to offer comments on the Project Notification for the proposed development of The Promenade at Natomas (Fong Ranch) to be located at the northeast corner of Truxel Road and Interstate 80 in Natomas.

After careful review of the project application and related materials, attendance of the Natomas Community Association's meeting on the subject, and a personal inspection of the proposed site and the surrounding area, we have reached the conclusion that the current plan for a regional retail complex is unacceptable.

We base this decision on two major issues. The first area of great concern relates to the proposed zoning change from Warehouse/Light Industrial uses to Regional Retail. The second very troubling issue is the proposed design of the complex, which is decidedly not pedestrian or bicyclist friendly in nature.

**1. Rezoning this site for Regional Retail is strongly discouraged**

Allowing the construction of a Regional Retail complex at this site would go against the Natomas Community Plan's goals of creating an economically viable, livable, and walkable community. Approval of this proposed Regional Retail project would move the Natomas community in the wrong direction towards a future of auto-oriented, suburban growth and unmanageable sprawl. The proposed project would diminish the viability of several Natomas area neighborhood commercial areas and thus would diminish the ability of residents to walk to some of their commercial destinations.

According to the City General Plan, the majority of this site (95.6 acres) is zoned for Heavy Commercial or Warehouse uses and the North Natomas Community Plan specifically designates it for Light Industrial uses. There is already a great deal of Regional Retail in the immediate vicinity and allowing the development of

**Attachment 5 - Walk Sacramento Letter (3/24/04)**

95.6 more acres of large-scale retail on the Fong Ranch site could have negative impacts on both the local and regional level.

It is our understanding that the City of Sacramento conducted a Retail Market Study when a Target Store was proposed in the area in 2001, and the study concluded that adding more retail at or near the intersection of Truxel Road and Interstate 80 would draw customers away from both the Natomas Town Center and the Downtown Plaza. In addition, the proposed project would saturate the immediate area with Retail land use and would negatively impact local traffic due to its auto-oriented location and design. Also the proposed project makes no commitment to mixed uses and the general area has limited residential stock, both of which make The Promenade undesirable according to the goals of the Natomas community.

Therefore, based on the results of the study and the sound reasoning that went into the original zoning requirements, we believe that it would be a mistake to rezone the land to allow for a retail development.

WALKSacramento is strongly opposed to the rezoning of the site. However, we have made the decision to include our comments and suggestions about the design of the complex in order to address pedestrian concerns in case the opposed rezoning is allowed. If the project goes forward, we believe that the site plan needs to be totally reworked. Simply put, the currently proposed retail complex is not pedestrian or bicyclist friendly. Therefore, we provide the following comments in order to improve the walkability and bikability of the project:

**2. The design of the project is not pedestrian or bicyclist friendly**

As our mission states "walkable communities = communities of walkers." We believe that it is important to have communities that enable people to both walk and bike to their destinations. The benefits of such activities include improved physical fitness, less motor vehicle traffic congestion, better air quality, as well as, a stronger sense of cohesion and safety in the community. The Promenade development, as it is currently planned, cannot meet these goals. Therefore, while WALKSacramento discourages the rezoning of the site for Regional Retail, we also believe that it is necessary to offer suggestions about creating a pedestrian friendly design for the proposed project.

**Examples of a pedestrian friendly mixed use design**

One possibility that is gaining popularity is the "Main Street" approach. This design style creates a mixed-use development using the "Main Street" approach with buildings located along a "main" thoroughfare and vehicle parking provided behind the buildings. Such developments are planned for mixed-uses with shopping, dining, entertainment, offices, and/or living spaces on site. San Jose's Santana Row and Valencia's Town Center Drive are two award winning, commercially

## Attachment 5 - Walk Sacramento Letter (3/24/04)

successful examples of this style. In addition to reviewing the brief summary of information provided below (and via the internet links), we encourage you to visit these places and study their innovative layouts firsthand on foot.

Santana Row in San Jose

Santana Row is one highly successful example of the "Main Street" style design in which they have incorporated retail space (for small local retailers and larger chain stores as well), with residential space (loft style apartments and a hotel), and included dining and entertainment facilities within the complex. For more information on San Jose's Santana Row, please call the complex management company at (408) 551-4600, visit their website at [www.santanarow.com](http://www.santanarow.com), or contact Federal Realty Investment Trust (the site's developers) via their website at [www.federalrealty.com](http://www.federalrealty.com).

Town Center Drive in Valencia

Valencia's Town Center Drive is another very successful example of the "Main Street" style with mixed-uses and a pedestrian friendly design. In this case, the planners envisioned a "retail main street" that "could provide the pedestrian connectivity to the shopping mall...Instead of traversing a parking lot, residents could stroll down the main street, eat at one of the restaurants, and then shop in the mall." In addition, parking structures were located behind the retail space and Town Center Drive was constructed as a private street with narrowed lane widths to calm traffic speed and 10' to 14' wide sidewalks to encourage pedestrian activity in the area. For more information on Valencia's Town Center Drive, we suggest review the following articles online: "[Valencia Town Center Drive: A Pioneer](#)" (*Urban Land Archives* - August 2002) and "[Main Street in the Making](#)" (*Retail Traffic* - August 1997).

Possible pedestrian friendly alternatives for The Promenade

All over the country, people are looking at shopping centers in a different light. New design strategies such as the "Main Street" style are being utilized to create multifunctional centers that strengthen the sense of cohesion within the community while also attracting patrons from the surrounding region. The Promenade at Natomas could be redesigned as this sort of multi-use development. After all, the name of the complex (Promenade) is defined as a public place where people come to stroll and walk around. To that end, we offer the following suggestions (in conjunction with the accompanying color coded site map) to help make The Promenade a pedestrian friendly "Main Street" style center:

1. We suggest locating the buildings along the sides of the streets to maximize pedestrian and bicyclist access and also to shield the parking areas from the view of patrons traveling along the "Main Street" corridors. Please refer to the accompanying map for a visual representation. The pink areas shown on the map

## Attachment 5 - Walk Sacramento Letter (3/24/04)

are prime locations for retail, dining, and entertainment facilities. We also encourage the inclusion of offices and/or residential uses on the upper floors of these structures. Note the placement of future office buildings on the adjoining property to the southwest is included to help illustrate the concept.

2. Possible sites for a senior residential building (shown in purple) and a small adjoining park (shown in green) are included to illustrate the mixed-use potential of the site. Another possibility for the project might be an on-site hotel.

3. Pedestrian and bicyclist access corridors (shown in yellow on the map) would run along the sides of vehicle lanes and would include bike lanes, planters with shade trees and ornamental vegetation, and wide sidewalks. North Freeway Boulevard and the "loop street" could serve jointly as the "Main Street" corridor with 10' wide sidewalks, 6' bike lanes, and planter beds to create a picturesque tree lined avenue to welcome patrons, residents, and travelers to The Promenade at Natomas.

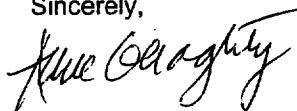
4. Additionally, we suggest narrowing the six-lane segment of North Freeway Boulevard (between Gateway Park Boulevard and the "loop street") to four-lanes as is the case to the east of the intersection.

5. Onsite pedestrian access should be facilitated by creating pedestrian walkways between the buildings and also leading in from the parking lots at the rear of the location (for patrons who park their vehicles and walk to the buildings).

6. Other topics that should be addressed are the need for access to the light rail line that may eventually run along the section of Truxel Road located to the southwest of the site, and also the need for access to the site from the east (especially if a pedestrian and bicyclist bridge is planned to be constructed there in the future, and, to a lesser degree, access from the north (to promote maximum community connectivity).

Thank you for your consideration of these comments and requests. If you have questions or need additional information, please call Pam Terry or myself at (916) 444-5864 or contact us via email at [walksacpam@yahoo.com](mailto:walksacpam@yahoo.com) or [ageraghty@saclung.org](mailto:ageraghty@saclung.org).

Sincerely,

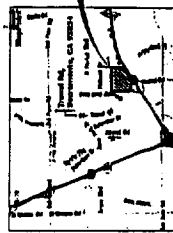


Anne Geraghty  
Executive Director

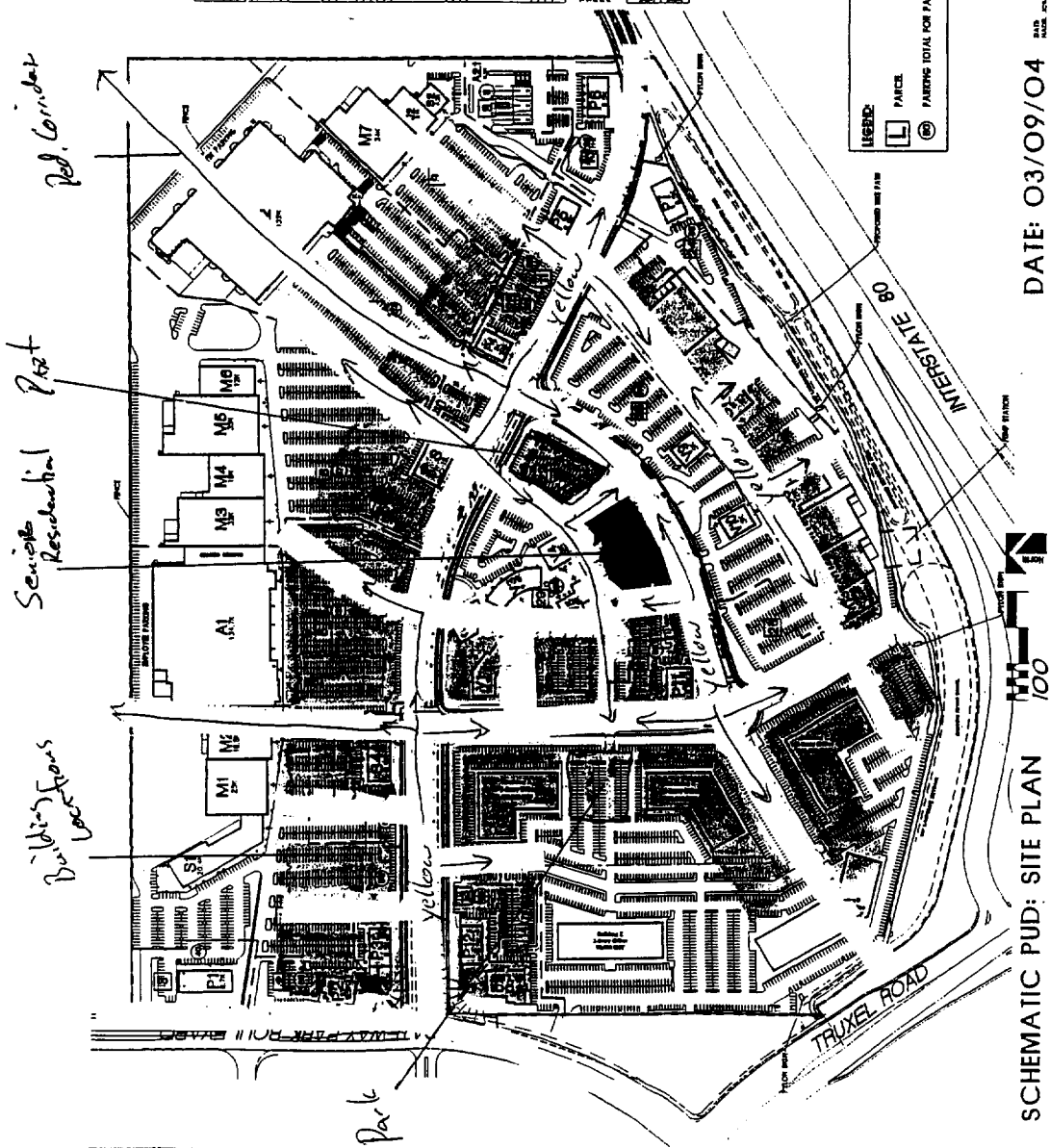
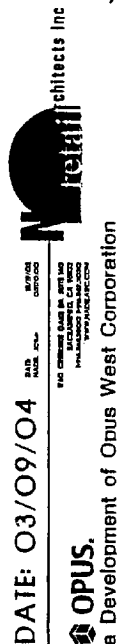
Attachment 5 - Walk Sacramento Letter (3/24/04)

Cc: Ed Cox, City of Sacramento  
Walt Seifert, Sacramento Area Bicycle Advocates (SABA)  
Ron Maertz & Peter Christensen, SMAQMD  
Mami Leger, Natomas Community Association

# SUMMARY

[illegible]

**Vicinity Map**  
Find its location  
on following street map  
regarding the subject to  
the respondent. The plan is  
and is subject to change  
and is not necessarily a  
guarantee of any kind.



SCHEMATIC PUD: SITE PLAN 100



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29th St. Light Rail Station/  
Bus 36, 38, 50, 67, 68

Light Rail Office:  
2700 Academy Way  
Sacramento, CA 95815  
(916) 648-8400

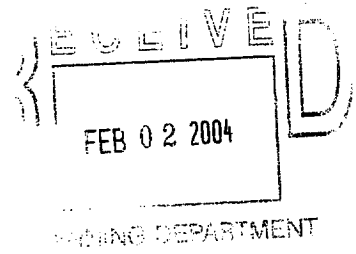
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## Attachment 6 - Regional Transit Letter (1/27/04)

January 27, 2004

Greg Bitter  
CITY OF SACRAMENTO  
Planning Division  
1231 I Street, Room 300  
Sacramento, CA 95814



DEVELOPMENT: Promenade at Natomas (Fong Ranch)

CONTROL NUMBER: P00-033

TYPE OF DOCUMENT: Various Entitlements

Dear Mr. Bitter:

Regional Transit (RT) staff have reviewed the project application for the proposed Promenade at Natomas (Fong Ranch) and would like to provide the following comments and recommendations:

The proposed development is located Northeast of Truxel Road and Interstate 80. Currently, RT bus routes #11, 13 and 14 operate along either Truxel Road or Gateway Park Boulevard, or both.

On December 15, 2003, the RT Board of Directors formally selected light rail as the transit mode and the Truxel Road alignment as the Locally Preferred Alternative (LPA) for the Downtown/Natomas/Airport (DNA) Corridor. The subject site is adjacent to the DNA LPA alignment. A proposed light rail station and bus transfer center is also planned just northeast of the Gateway Park Boulevard and Truxel Road intersection.

Regional Transit staff need to ensure that adequate area is available adjacent to Truxel Road for a light rail alignment along the east side of Truxel Road. Adequate property to accommodate the Locally Preferred Alternative shall be provided in the form of an Irrevocable Offer of Dedication (IOD).

Transit stops, turnouts, shelters, etc. within the project need to be established. It is recommended that the applicant work with Mike Cassidy, Senior Planner, and other Regional Transit staff to identify future transit service and other facilities to support transit in the project area.

## Attachment 6 - Regional Transit Letter (1/27/04)

It is recommended that the applicant enter into an agreement with Regional Transit to provide park and ride spaces as close as possible to the light rail station.

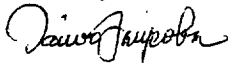
Regarding the pedestrian circulation plan: pedestrian access to the intersection of Gateway Park Boulevard and Truxel Road needs to be enhanced with elements such as: landscaping, lighting, shading, pavers and other amenities.

The applicant needs to work with the adjacent office project to allow Loop Street to provide better connectivity to the future light rail station. The office building that is shown in line with Loop Street needs to be relocated or redesigned to allow direct access through the site to the Truxel Road/Gateway Park Boulevard intersection. Street pavers shall be provided for pedestrians at the intersection of Loop Street and the street adjacent to buildings P10 and P11, and at other crossings as applicable.

Building M14 should be moved to allow better circulation between buildings V1 through V5, to the access point adjacent to building P9.

Thank you for the opportunity to review this project. If you have questions regarding these comments and recommendations, please contact me at 321-2870 or [tjaiyeoba@sacrt.com](mailto:tjaiyeoba@sacrt.com)

Sincerely,



Taiwo Jaiyeoba  
Real Estate Administrator/TED

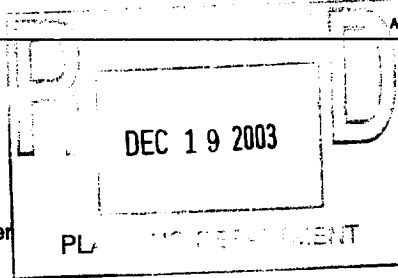
- c. Fred Arnold, Real Estate Manager, RT  
Don Smith, Senior Administrative Analyst, RT  
Mike Cassidy, Senior Planner, RT



SACRAMENTO METROPOLITAN



## Attachment 7 - SMAQMD Letter (12/17/03)

Norm Covell  
AIR POLLUTION CONTROL OFFICER

December 17, 2003

Mr. Greg Bitter, Planning Project Manager  
City of Sacramento, Planning Division  
1231 I Street, Room 300  
Sacramento, CA 95814

**SUBJECT: THE PROMENADE AT NATOMAS, P00-033**

Dear Mr. Bitter,

Thank you for providing the project listed above to the Sacramento Metropolitan Air Quality Management District (District) for review by the staff. District staff comments follow.

1. Due to the size of this project, the construction mitigation procedures developed by the District need to be followed. Those procedures are as follows:

**SMAQMD RECOMMENDED MITIGATION FOR REDUCING EMISSIONS  
FROM HEAVY-DUTY CONSTRUCTION VEHICLES <sup>1</sup>**

Revised January 17, 2002

*Category 1: Reducing NOx emissions from off-road diesel powered equipment*

The project 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, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction<sup>1</sup> compared to the most recent CARB fleet average; and

The project representative 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 any portion of 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. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction

## Attachment 7 - SMAQMD Letter (12/17/03)

timeline including start date, and name and phone number of the project manager and on-site foreman.

**and:**

***Category 2: Controlling visible emissions from off-road diesel powered equipment***

The project 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.

<sup>1</sup> Acceptable options for reducing emissions may include use of late model vehicles, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

If the project proponents have questions on these requirements, they should contact Peter Christensen at the District by phone at 874-4886 or by email at [pchristensen@airquality.org](mailto:pchristensen@airquality.org).

2. For the operational phase of the project, in accordance with the North Natomas Community Plan (NNCP) a Transportation Management & Air Quality Plan (TM/AQ Plan), needs to be developed and approved by the Alternate Commute Coordinator for the City of Sacramento and District staff. Proponents for the project have met with District staff to discuss the project. They are aware of the requirement for the TM/AQ Plan.

District staff provided some preliminary concerns they have regarding the design of the project. By its purpose and nature, the project is focused on vehicular traffic. The commercial component, including such possibilities as a big-box store, like Costco, presupposes (even desires) motorized traffic. Since mobile sources produce 70% of the precursors of ozone, the District always has concerns about the air quality impacts of projects of this nature. The project design attempts to make it more user friendly for bicyclists and pedestrians. The components of the TM/AQ Plan will give a clearer sense of measures are envisioned to reduce air quality impacts.

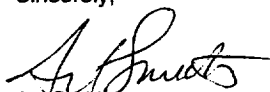
## Attachment 7 - SMAQMD Letter (12/17/03)

The project is intended to include an office park near the center of the project known as the promenade. The office park will not be built in the initial phase. Thus, the part of the project that will provide the most opportunities for alternate commute use will not be available for a number of years. Preliminary discussions with project proponents indicate that a shuttle service is envisioned to operate in the commercial/retail area as well as the office park when it is built. The details of bicycle and pedestrian amenities and of the shuttle service will be provided in the TM/AQ Plan. Project proponents have stated they will be meeting with representatives of the North Natomas TMA. The District anticipates a joint meetings with the TMA and project proponents sometime in the new year.

As a summary statement, due to the orientation of the project toward use of vehicles, it will be challenging to develop a plan that will offset the air quality impacts. Bicycle and pedestrian programs and services are envisioned. Lighting and shading in the overall design will also have a priority according to the project proponents. The District staff looks forward to working with project representatives and members of the City Planning staff to determine the optimum set of mitigation measures to offset air quality impacts.

If you have questions or comments, please contact me at 874-4887 or by email at [asmith@airquality.org](mailto:asmith@airquality.org).

Sincerely,

  
Art Smith

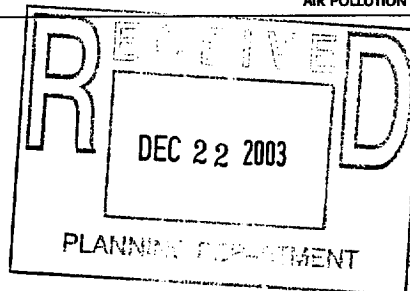
Associate Air Quality Planner Analyst

cc: Ron Maertz, SMAQMD  
Rhonda Abell North Natomas TMA  
Jim Wiley, Taylor, Hooper & Wiley

SACRAMENTO METROPOLITAN



## Attachment 8 - SMAQMD Letter (12/18/03)

Norm Covell  
AIR POLLUTION CONTROL OFFICER

December 18, 2003

Mr. Greg Bitter, Planning Project Manager  
City of Sacramento, Planning Division  
1231 I Street, Room 300  
Sacramento, CA 95814

**SUBJECT: THE PROMENADE AT NATOMAS, POO-033**Dear *Greg* Mr. Bitter,

Earlier this week, I sent comments to your office regarding the Promenade at Natomas. I indicated that staff members from the Air District met with the proponents of the projects. During that meeting, we discussed the importance of including amenities to encourage all commute modes. Members of the Air District staff have continued to discuss this project. One item that should be considered that we have not mentioned is the possibility of including a residential element to the project. For the most part, the project follows traditional and conventional design. In an effort to "think outside the box" and to build projects that conform to the Smart Growth concepts included in the North Natomas Community Plan, Air District staff suggests that a residential element be considered for this project.

I will send a copy of this letter to the proponents. As we meet with representatives of the project we will discuss the residential element. If you have questions or comments, please contact me at 874-4887.

Sincerely,

Art Smith  
Associate Air Quality Planner Analyst

April 22, 2004

~~STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY~~~~Attachment 9 - Caltrans Letter (12/08/03)~~**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3 – SACRAMENTO AREA OFFICE

VENTURE OAKS, MS 15

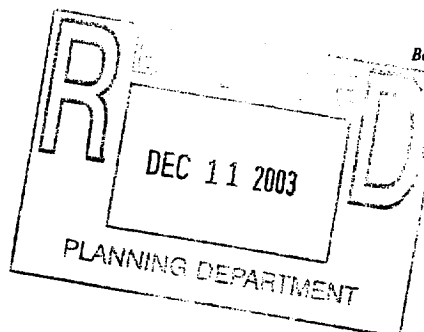
P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0638

FAX (916) 274-0648

TTY (530) 741-4509

Flex your power!  
Be energy efficient!

December 8, 2003

03SAC0172

03SAC-80 PM 3.643

The Promenade at Natomas (Fong Ranch)

Revised Plans (P00-033)

Mr. Greg Bitter  
City of Sacramento  
Planning Division  
1231 I Street, Room 300  
Sacramento, CA 95814

Dear Mr. Bitter:

Thank you for the opportunity to review and comment on The Promenade at Natomas project. Our comments are as follows:

- This project falls within the purview of the North Natomas Community Plan (NNCP). Several proposed freeway interchanges and overcrossings are identified in the 1994 North Natomas Freeway-Related Improvements Report (Kittelson Report) as part of the phased development approach for the North Natomas Community Area and/or referenced in a November 1995 Cooperative Agreement executed for the Truxel Road Interchange. Both the traffic-planning elements for the Kittelson Report and the conditions stated in the Cooperative Agreement are predicated on adherence to the 1994 North Natomas Community Plan.
- Any specific development which is proposed, and any change in land use, which would result in or allow increased or redistributed trips may require an update to the existing North Natomas Community Plan traffic study. For significant short-term traffic impacts, a project-specific traffic study may be required. Each proposed development or land use change should be examined for variances from volumes outlined in the NNCP which result in new or increased impacts or significant short term traffic impacts. Fair share contributions for mitigation may have to be re-evaluated.

The following criteria is provided to determine if this project could potentially cause significant traffic impacts at the Interstate 80/Truxel Interchange and establish if a Traffic Impact Study (TIS) should be prepared.

1. Generates over 100 peak hour trips assigned to a State highway facility

## Attachment 9 - Cal Trans Letter (12/08/03)

Mr. Greg Bitter  
December 8, 2003  
Page 2

2. Generates 50 to 100 peak hour trips assigned to a State highway facility – and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS “C” or “D”).
3. Generates 1 to 49 peak hour trips assigned to a State highway facility – the following are examples that may require a full TIS or some lesser analysis:
  - a) Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS “E” or “F”).
  - b) The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
  - c) Change in local circulation networks that impact a State highway facility (i.e., direct access to State highway facility, a non-standard highway geometric design, etc.).
- The complete Caltrans TIS guidelines are available at the following website:  
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/> .
- The TIS should incorporate the following scenarios:
  - Existing conditions without the project
  - Existing conditions plus the project
  - Cumulative conditions (without the project)
  - Cumulative conditions (with project build-out)
- The traffic analysis should provide a Level of Service (LOS) analysis for the Interstate 80/Truxel Road Interchange freeway ramps and ramp terminal intersections. A merge/diverge analysis should be performed for freeway and ramp junctions and all analysis should be based on AM and PM peak hour volumes. The analysis should include the (individual, not averaged) LOS and traffic volumes applicable to all intersection road approaches and turn movements. The procedures contained in the Year 2000 Highway Capacity Manual should also be used as a guide for the traffic study.
- Mitigation measures should be identified where the project would have a significant impact. Caltrans considers the following to be significant impacts:
  - Off-ramps with vehicle queues that extend into the ramp’s deceleration area or onto the freeway.
  - Vehicle queues at intersections that exceed existing lane storage.

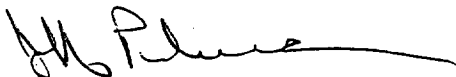
## Attachment 9 - Cal Trans Letter (12/08/03)

Mr. Greg Bitter  
December 8, 2003  
Page 3

- Project traffic impacts that cause any ramp's merge/diverge Level of Service (LOS) to be worse than the freeway's LOS.
- Project impacts that cause the freeway or intersection LOS to deteriorate beyond LOS E for freeway and LOS D for intersections. (If the LOS is already "E" or "F", then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation measures.)
- Traffic generated from the proposed project will contribute to cumulative impacts to the Interstate 80/Truxel Road Interchange. Interchange improvements may be required, in addition to Kittelson Report improvements, as mitigation measures to maintain adequate traffic operations in the vicinity of this project.
- The analysis of future traffic impacts should be based on a 20 year planning horizon.
- Future transportation systems assumed for cumulative conditions should only include those improvements in the Sacramento Area Council of Government's 2002 Metropolitan Transportation Plan.
- The ultimate Interstate 80 freeway facility abutting this project area is planned to become an eight lane freeway plus one auxiliary lane on either side at interchange sites. The minimum width for an urban standard freeway with auxiliary lanes is approximately 256 feet. Interchange locations require wider corridor width. Appropriate right-of-way protection should be provided for the future ultimate freeway facility.
- We recommend transit oriented development design options be considered, since the proposed Gateway Park Boulevard station of the DNA Light Rail Transit Line will be in close proximity.

Please provide our office with a copy of the draft TIS for this project. If a TIS is not prepared, please provide an explanation of why it was not considered necessary. If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,



JEFFREY PULVERMAN, Chief  
Office of Regional Planning



PLANNING AND BUILDING  
DEPARTMENT

PLANNING DIVISION

**CITY OF SACRAMENTO**  
CALIFORNIA

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814-2998

PLANNING  
916-264-5381  
FAX 916-264-5328

**MEMORANDUM**

Date: April 22, 2004

To: Chairman Bacchini and  
Members of the City Planning Commission

From: Greg Bitter, Associate Planner

**SUBJECT:** Addendum to Staff Report for Promenade at Natomas (P00-033)  
**Item #3**

The Notice of Decision and Findings of Fact (NOD) have been amended to reflect one amended condition to the Tentative Subdivision Map approval (Condition H51 on page 50 of the staff report), one amended condition to the Special Permit approval (Condition I&J28 on pages 58 and 59 of the staff report). Page two of this memorandum includes these three amended conditions in strike-through and underline format. In addition, the NOD has been modified to reflect new department and division names. The applicant has reviewed and agreed to these amended conditions.

During the printing of the staff report page 146 was inadvertently left out. This page contained the first page of the General Plan Amendment Resolution and is attached to this memorandum.

Correspondence received after publication of the staff report includes:

1. April 21, 2004 letter from Marcus Lo Duca, representing E.J. Plesko and Associates in opposition to the project (provided separately).
2. April 22, 2004 letter from Michael Diepenbrock, representing Panattoni Development Company, in opposition to the project (attached).

xc: [P00-033]



Amended Conditions (~~strike-through~~ = deletion, **bold/underlined** = addition):

Condition H51 on page 50 of the staff report is amended as follows:

H51. Construct a 12-inch water line in Gateway Park Boulevard from North Freeway Boulevard to the north boundary of Parcel 4 **3**.

Condition I&J28 on pages 58 and 59 of the staff report is amended as follows:

- I&J28. Construct traffic signals at the following intersections to the satisfaction of the Development Engineering and Finance Division (if not already in place):
- a. Del Paso Road/Northgate Boulevard
  - b. North Freeway Boulevard/North Market Drive
  - c. Gateway Park Boulevard/National Drive  
**(underground facilities only)**

The Planned Unit Development Resolution Condition 2.d, on page 159 of the staff report, is amended as follows:

- 2.d With the first Special Permit applied for in the Employment Center (office) portion of the Promenade at Natomas PUD Schematic Plan the City will determine whether the applicant/property owner and/or successors in interest shall allocate up to 350 parking spaces to be used as park-n-ride spaces ~~at the time the Downtown/Natomas/Airport Light Rail corridor is constructed and operational~~. The applicant and Regional Transit are encouraged to maximize the use of shared parking arrangements. For dedicated park-n-ride spaces, compensation by Sacramento Regional Transit shall be determined on the basis of fair market value.

## Exhibit 1C - General Plan Resolution

**RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION AMENDING THE GENERAL PLAN LAND USE MAP FOR 126.4± GROSS ACRES FROM 95.6± GROSS ACRES OF HEAVY COMMERCIAL OR WAREHOUSE AND 30.8± GROSS ACRES OF MIXED USE TO 95.6± GROSS ACRES OF REGIONAL COMMERCIAL AND OFFICES AND 30.8± GROSS ACRES OF MIXED USE, FOR PROPERTY LOCATED IN NORTH NATOMAS, NORTH OF INTERSTATE 80 AND EAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD, SACRAMENTO, CA.**

(APN: 225-0160-086)  
(P00-033)

**WHEREAS**, the Planning Commission conducted a public hearing on April 22, 2004, and the City Council conducted a public hearing on June 8, 2004 concerning the above plan amendment and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

1. The proposed land use amendment is compatible with the surrounding land uses;
2. The subject site is suitable for commercial, and office development; and
3. The proposal is consistent with the policies of the North Natomas Community Plan and the General Plan.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:**

The property described on the attached Exhibit 1 in the City of Sacramento is hereby re-designated on the General Plan land use map from 95.6± gross acres of Heavy Commercial or Warehouse and 30.8± gross acres of Mixed Use to 95.6± gross acres of Regional Commercial and Offices and 30.8± gross acres of Mixed Use. APN: 225-0160-086

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



Sent Via Facsimile (916) 264-5328

April 22, 2004

Mr. David Kwong  
City of Sacramento  
Planning Department  
2101 Arena Blvd., Room 200  
Sacramento, CA 95834

*Re: Promenade at Natomas Project (POO-033)*

Dear David:

On behalf of Panattoni Development Company, I am writing this letter to express our deep reservations concerning the Promenade at Natomas Project. As you know, our firm has developed the Natomas Gateway Corporate Center project on Arena Boulevard, and is currently developing the Natomas Crossing Business Park project located on Truxel Road. In addition, we are the joint venture development partner with E.J. Plesko & Associates with regard to the Natomas Center project in the Coral Business Center PUD, across the street from the proposed Promenade at Natomas Project. Our firm's responsibility will be the development of the office building component of Natomas Center.

We are very concerned about the major impact that the Promenade at Natomas Project will have upon the viability of our office building project at Natomas Center. The drastic increase in traffic, which will inevitably result from the planned project, will have a significant negative impact upon our ability to attract office tenants for our Natomas Center project. In fact, the current level of traffic congestion in the immediate area is our biggest concern with respect to our project. The impact on circulation in/out and around our site will inevitably make our project less desirable to office tenants. In addition, we are very concerned that the project is inconsistent with the goals of the North Natomas Community Plan. If additional retail development is now desired or required as a result of slow absorption of office land, we recommend alternate locations that would not create an even worse situation at the proposed location.

Thank you for your consideration.

Sincerely,

Michael E. Diepenbrock  
Partner

cc: Gary Stonehouse  
Art Gee

358

kwong042204