



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org

**PUBLIC HEARING**  
**August 28, 2007**

**Honorable Mayor and  
Members of the City Council**

**Title: River Landing Project (ER06-082)**

**Location/Council District:** 1400 Garden Highway, Sacramento, CA / Assessor's  
Parcel Number 274-0320-035 / Council District 1

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** denying the appeal and approving the previous Design Review and Preservation Board action to modify the design and size of the 12 remaining condominiums of a previously approved 18 unit residential project in the Expanded North Design Review District.

**Contact:** Luis R. Sanchez, AIA, Senior Architect, (916) 808-5957; Leslie Gross, Assistant Planner, (916) 808-5881

**Presenters:** William Crouch, Urban Design Manager, (916) 808-8013; Luis R. Sanchez, AIA, Senior Architect, (916) 808-5957

**Department:** Development Services

**Division:** Current Planning

**Organization No:** 4871

### **Description/Analysis**

**Issue:** Gayna Grenfell, owner of one of the 6 existing residences of the River Landing Project, appealed a Design Review and Preservation Board (DRPB) approval to modify the design and size of the 12 remaining condominiums of a previously approved 18 unit residential project in the Expanded North Design Review District. Attachment 2 provides background information regarding the project, the Design Review and Preservation Board action (ER06-082), and the Planning Commission action (Z04-270).

**Policy Considerations:** The appeal contends that the remaining 12 undeveloped condominiums of the River Landing project are not consistent in design with the original 6 single-family residences constructed in the mid 1980s



and should be constructed to match the original design of the project. Staff supports the proposed project design and the project is consistent with the land use designation and applicable policies of the General Plan, South Natomas Community Plan, and the River Front District Policies. The project also provides public access to the Sacramento River, meeting the public access policies of the Sacramento River Parkway Plan.

**Project Design:** The proposed design for the 12 remaining unbuilt condominiums is significantly different in style, massing, orientation, and materials than the existing 6 units constructed in the mid 1980's. The proposed changes include creating four separate buildings, which include three attached units each, orienting the buildings at different angles, and constructing larger units with a uniquely modern architectural design. Exhibit A to Attachment 4, Design Review and Preservation Board Staff Report (ER06-082) includes addition design comments.

**Committee/Commission Action:** On June 21, 2006 the Design Review and Preservation Board (DRPB) approved the modification of the design and size of the 12 remaining condominiums of a previously approved 18 unit residential project in the Expanded North Area Design Review District. On June 30, 2006, an appeal to Planning Commission of the Board's action was submitted by a 3<sup>rd</sup> party citing opposition to the design. The Planning Commission continued the 3<sup>rd</sup> party appeal on this project from August 24, 2006 to September 14, 2006. On September 14, 2006, the project was further continued to October 12, 2006. The project was subsequently withdrawn from the agenda because the project was no longer appealable to Planning Commission due to a change in Zoning Code. This project is now subject to appeal to the City Council because under the amended Design Review code, appeal of design approval is heard by the City Council.

The project also required a Special Permit Modification (Z04-270), which also included a request to modify the design, layout, and size of the remaining 12 unbuilt condominiums. The project, including the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP) was heard and approved unanimously at City Planning Commission July 12, 2007. No appeal of the environmental determination or the Special Permit was filed.

**Environmental Considerations:** The Environmental Services Manager has reviewed the project for compliance with the requirements of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration was prepared that described the proposed River Landing Project and evaluated the potential environmental effects of the proposed project, and a Mitigation Monitoring Plan was prepared. The Mitigated Negative Declaration was circulated for a 30-day public review period from October 27, 2005 through November 27, 2005. Comments concerning environmental issues were received and addressed within the Mitigated Negative Declaration. Additional language added at the request of the DRPB regarding light and glare was included in the Mitigated Negative Declaration for

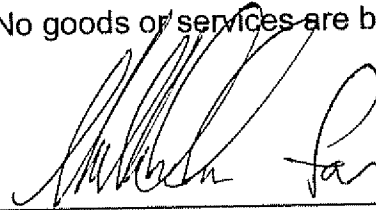
clarification. Recirculation of the Mitigated Negative Declaration to reflect this change was not required under CEQA Guidelines Section 15073.5. On July 12, 2007, the Planning Commission approved the Mitigated Negative Declaration and the Mitigation Monitoring Program as part of its approval of a Special Permit for this project and a Notice of Determination was filed. The environmental determination was not part of the appeal petition.

**Rationale for Recommendation:** Staff recommends that the City Council deny the appeal and approve the previous action of the Design Review and Preservation Board. The Board found that the revised project design, as conditioned, enhances the surrounding neighborhood, will complement certain aspects of the structures in the vicinity, and conforms to the design criteria for the Expanded North Area Design Review District. For these and other reasons, the Board approved the new design. The proposed project is consistent with the land use designation and applicable policies of the General Plan, South Natomas Community Plan, and the River Front District Community Plan. The project also provides public access to the Sacramento River, meeting the public access policies of the Sacramento River Parkway Plan.

**Financial Considerations:** This project has no fiscal considerations.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by: \_\_\_\_\_



David Kwong  
Planning Manager

Approved by: \_\_\_\_\_



William Thomas  
Director of Development

Recommendation Approved:



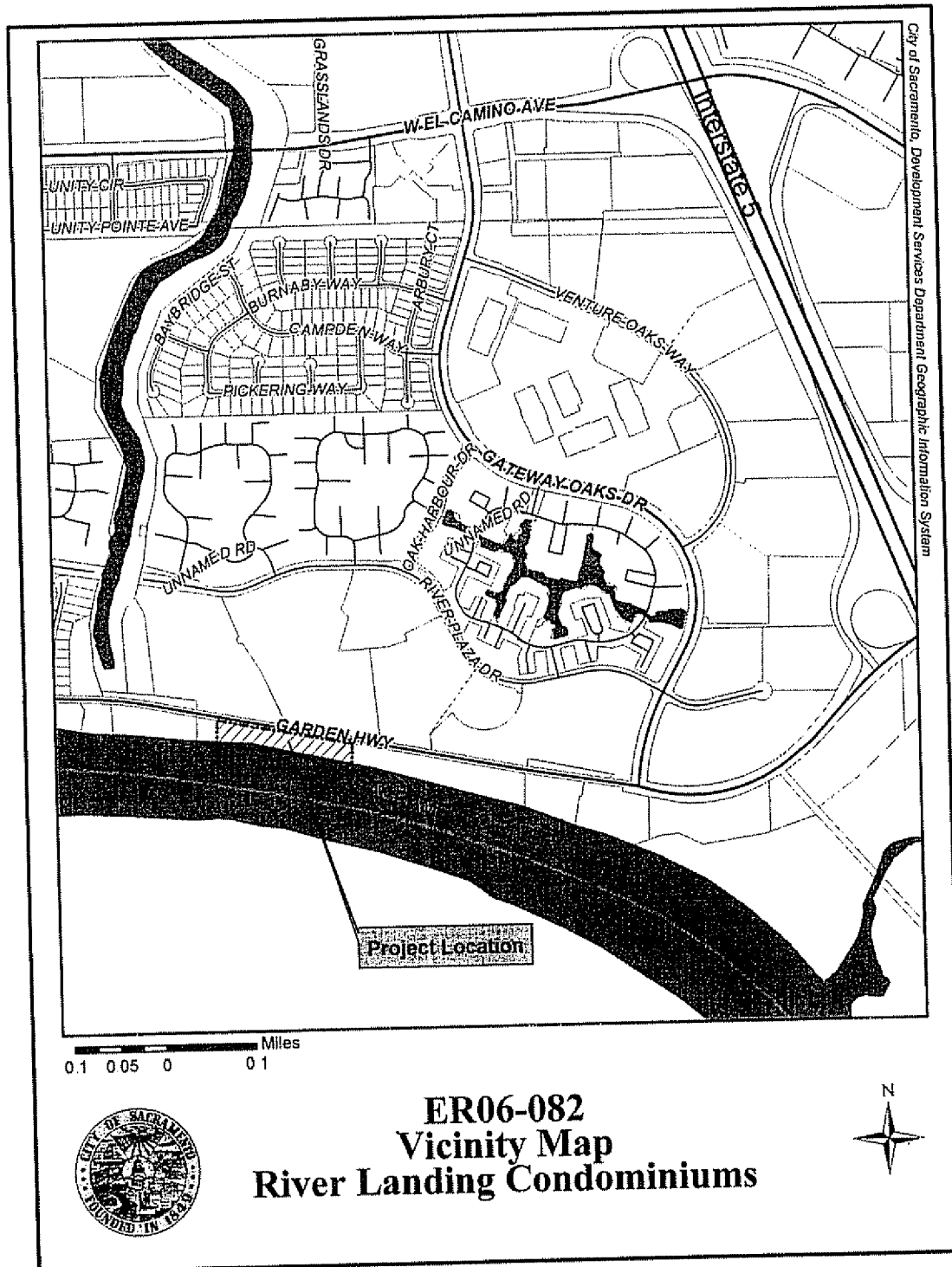
Ray Kerridge  
City Manager



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Attachment 1 – Vicinity Map



## Attachment 2 - Background Information

On January 6, 1983, the Planning Commission approved a Special Permit to allow the development of 18 residential condominium units in the floodway adjacent to the Sacramento River along Garden Highway (P9307). The Planning Commission extended the Special Permit on January 26, 1984 for one year (P9307). The condominium proposal was one element of a large riverfront development that was also approved in 1983. Only six of the approved 18 residential condominium units were actually built.

On April 7, 2006 staff approved the River Landing project at staff level (ER07-082) per the ordinance allowing Staff Level approval of projects in the Expanded North Area Design Review District. A notice of staff action with conditions of approval was sent out, however mailing was incorrect and adjacent property owners were not properly notified. Staff approval was rescinded due to notification errors and because the design was not supported by some of the neighbors. Staff then determined the appropriate action was to elevate the project to the Design Review and Preservation Board (DRPB) for review. Staff met with a number of the adjacent condominium owners and several other property owners in the area prior to the DRPB hearing. Some were in support of the design but had other concerns such as parking along Garden Highway, while others were opposed to the design outright. The DRPB approved the project on June 21, 2006 and an owner of one of the existing condominiums subsequently appealed the decision. The Design Review and Preservation Board's decision was based on the following reasons:

- The project is based upon sound principles of land use in that the proposed use is allowed in the designated zone and includes conditions addressing building and site design.
- The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
- The proposed use would not be detrimental to the public health, safety and welfare, nor result in a public nuisance in that it has been designed to allow appropriate vehicular access, and is complementary to the existing character of the general vicinity and shall not change the essential character of the project area.
- The project, as conditioned, enhances the surrounding neighborhood.
- The project, as conditioned, will complement certain aspects of the structures in the vicinity, and conforms to the Board's design criteria.

The Design Review and Preservation Board action was appealed to the City Planning Commission by the same 3<sup>rd</sup> party that objected to the staff level

approval.

The Planning Commission continued the 3<sup>rd</sup> party appeal on this project from August 24, 2006 to September 14, 2006. On September 14, 2006, the project was further continued to October 12, 2006. The project was subsequently withdrawn from the agenda because the project was no longer appealable to Planning Commission due to a change in Zoning Code. This project is now subject to appeal to the City Council because under Chapter 17.132, Design Review, as amended on October 26, 2006, appeal of design approval is heard by the City Council.

The project also required a Special Permit Modification (Z04-270), which included a request to modify the design, layout, and size of the remaining twelve unbuilt condominiums in a previously approved 18-unit condominium project. The project was heard and approved at Planning Commission July 12, 2007. No appeal of the Special Permit was filed. The Planning Commission decision to grant the Special Permit is based upon sound principles of land use in that:

- The use is allowed in the Flood (F) zone with a special permit; and
- There will be adequate setbacks, parking, and landscaping on site.

The Planning Commission decision to grant the Special Permit was also based on a finding that the project would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:

- The proposed design change is complementary to the existing character of the general vicinity;
- There will be adequate access, setbacks, parking, and landscaping on site; and
- There will be public access ways to the Sacramento River through the complex.

The Planning Commission decision was also based on the following reasons:

- The project is consistent with the General Plan and South Natomas Community Plan which designate the site as Parks-Recreation-Open Space and River Front District respectively. A condominium project is permitted in the F zone with a Special Permit.
- The development will enhance the appearance and public use of the river by providing well designed facades along the river frontage and additional public access points to the river.
- The development will not have adverse effect on any natural resources.

- The development will not have an adverse effect on the use of adjacent property.
- The development will have direct access to a major street, Garden Highway.
- The development, as conditioned, is fully served by all necessary utility services.
- The proposed usable space of the buildings will be above the 100 year flood line as required by the Zoning Code.

## Attachment 3: Appeal of the DRPB decision

**CITY OF SACRAMENTO**  
 PLANNING & BUILDING DEPARTMENT  
 1231 I Street, Room 200 Sacramento, CA 95814

**APPEAL OF THE DECISION OF THE  
 DESIGN REVIEW/PRESERVATION BOARD**

DATE: 6-30-06

**TO THE PLANNING DIRECTOR:**

I do hereby make application to appeal the decision of the Design Review/Preservation Board on June 21, 2006 (hearing date), project number (DR/PB#) ER06-082 when:

- ☒ Structure Review for the River Landing Project  
☐ Sign Review for \_\_\_\_\_  
☐ Building Move for \_\_\_\_\_  
☐ Other \_\_\_\_\_ for \_\_\_\_\_

was: ☒ Granted by the Design Review/Preservation Board  
☐ Denied by the Design Review/Preservation Board

**GROUND'S FOR APPEAL: (Explain in detail - attach additional sheets if necessary)**

ON AESTHETIC DESIGN AND NOT WANTING  
ATTACHED CONDO/APARTMENT STYLE BUILDINGS IN OUR PROJECT  
THAT IS "ONLY" APPROVED FOR SINGLE FREE-STANDING STRUCTURES  
AS A 1/18th OWNER OF THE WHOLE PROPERTY I OBJECT

- PROPERTY LOCATION: 1400 Garden Highway Sacramento Ca  
 - APPELLANT: (please print) GAYNA GREENFELL PHONE #: 916 765 4848  
 - ADDRESS: 1409 GARDEN HIGHWAY SACRO CA 95833  
 - APPELLANT'S SIGNATURE [Signature]

THIS BOX FOR OFFICE USE ONLY

Received by: <u>[Signature]</u>	Date received: <u>6-30-06</u> DR/PB# <u>ER06-082</u>
Filing Fee: **** See Fee Schedule <u>\$340.00</u>	
Date forwarded (original & receipt) to CPC Clerical/City Clerk _____	
Distribute Copies To: GLS, Project Planner, Principal/Senior	

**PAID**  
 CITY OF SACRAMENTO  
 JUN 30 2006

NEW CITY HALL

Attachment 4: Project Appeal Resolution

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**DENYING THE APPEAL AND APPROVING DESIGN REVIEW FOR THE  
RIVER LANDING PROJECT (ER07-082)**

**BACKGROUND**

- A. On January 6, 1983, the Planning Commission approved a special permit to allow the development of 18 residential condominium units in the floodway adjacent to the Sacramento River along Garden Highway (P9307). The Planning Commission extended the special permit on January 26, 1984 for one year (P9307). The condominium proposal was one element of a large riverfront development that was also approved in 1983. Only 6 of the approved 18 residential condominium units were actually built.
- B. On April 7, 2007, the remaining 12 unit River Landing project was approved by staff per the ordinance allowing staff level approval of projects in the Expanded North Area Design Review District. A notice of staff action with conditions of approval was sent out, however mailing was incorrect and adjacent property owners were not properly notified. Staff approval was rescinded due to notification errors and because the design was not supported by some of the neighbors.
- C. The River Landing project was elevated to Design Review and Preservation Board for design review and the Board approved the application on June 21, 2006 based on the findings and conditions listed in the staff report. The Board found that the revised project design, as conditioned, enhances the surrounding neighborhood, will complement certain aspects of the structures in the vicinity, and conforms to the design criteria for the North Area Design Review District. The Design Review and Preservation Board action was appealed to the City Planning Commission by the same 3<sup>rd</sup> party that objected to the staff level approval.
- D. The City Planning Commission continued the 3<sup>rd</sup> party appeal on this project from August 24, 2006 to September 14, 2006. On September 14, 2006, the project was further continued to October 12, 2006. The project was subsequently withdrawn from the agenda because the project was no longer appealable to Planning Commission due to a change in Zoning Code. This project is now subject to appeal to the City Council because under Chapter 17.132, Design Review, as amended on October 26, 2006, appeal of design approval is heard by the City Council.
- E. The project also required a Special Permit Modification (Z04-270), which included a request to modify the design, layout, and size of the remaining 12 unbuilt

condominiums in a previously approved 18-unit condominium project. The project, including the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP) was heard and approved unanimously at City Planning Commission July 12, 2007, subject to conditions listed in the record of decision. No appeal of the environmental determination or the Special Permit was filed.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. At the regular meeting of August 21, 2007, the City Council heard and considered evidence regarding the matters described above. Based on verbal and documentary evidence at said hearing, the City Council takes the following actions:

- A. The City Council reviewed and considered the Mitigated Negative Declaration and the Mitigation Monitoring Plan.
- B. The City Council denies the appeal.
- C. The City Council upholds that Design Review and Preservation Board design review approval based on the findings and subject to the conditions of approval as set forth below:

**FINDINGS OF FACT**

Design Review: The request for construction of a condominium complex with 12 units is approved subject to the following Findings of Fact and Conditions of Approval:

- 1. The Mitigated Negative Declaration and the Mitigation Monitoring Plan mitigates all potentially significant impacts of the project and the Mitigated Negative Declaration is adequate to make a determination regarding the project's design review.
- 2. The project is based upon sound principles of land use in that the proposed use is allowed in the designated zone and includes conditions addressing building and site design.
- 3. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
- 4. The proposed use would not be detrimental to the public health, safety and welfare, nor result in a public nuisance in that it has been designed to allow appropriate vehicular access, and is complementary to the existing character of the general vicinity and shall not change the essential character of the project area.
- 5. The project, as conditioned, enhances the surrounding neighborhood.



6. The project, as conditioned, will complement the structures in the vicinity, and conforms with the design criteria for the North Area Design Review District.

### **CONDITIONS OF APPROVAL**

Request to modify the design of the 12 remaining condominiums of a previously approved 18 unit residential project in the Expanded North Area Design Review District is approved subject to the following conditions:

**NOTE: These conditions shall supersede any contradictory information shown on the approved project (ER06-082). The design of any improvement not covered by these conditions shall be to City standard.**

The applicant shall satisfy each of the following conditions prior to building permit submittal unless a different time for compliance is specifically stated in these conditions.

- A. The design of the site (see Exhibit A) is hereby approved subject to the following conditions. These conditions must be met prior to the issuance of a building permit:**
  1. The building shall be sited as indicated in the DRPB Staff report and exhibits.
  2. The project shall have setbacks and step backs as indicated in the DRPB Staff report and exhibits.
  3. The project shall include entries as indicated in the DRPB Staff report and exhibits and the applicant shall coordinate with the building department regarding specific access requirements.
  4. Auto access and site layout shall be as indicated in the DRPB Staff report and exhibits. Landscaping and hardscape shall be provided as indicated on the plans and exhibits, including site amenities such as water features and shade structures. Final landscape and hardscape plans shall be reviewed and approved by staff.
  5. The applicant shall submit final fencing locations and details to staff for review and approval.
  6. The applicant shall submit final site lighting locations and cut sheets to staff for review and approval. Applicant shall conduct measured and quantitative study of baseline nighttime lighting conditions and proposed project conditions to submit to City staff for review. Applicant shall research and recommend appropriate thresholds for allowable light. Applicant shall submit detailed lighting plan and schedule to City staff.

7. Mechanical equipment proposed shall be screened as necessary to fit in with the design of the new buildings. Backflow prevention devices, SMUD boxes, etc., shall be placed where not visible from street views, screened from any pedestrian view. The Applicant shall submit final mechanical locations and screening to staff for review and approval.
8. Final Service area plans shall be reviewed and approved by Design Review staff.
9. Final Trash Enclosure plans shall be reviewed and approved by staff. The trash enclosure shall be redesigned to have entry and service from the parking lot side.
10. Final bicycle parking and storage shall be shown on the final plans and reviewed for approval by staff.

**B. The design of the building (see Exhibit A) is hereby approved subject to the following conditions:**

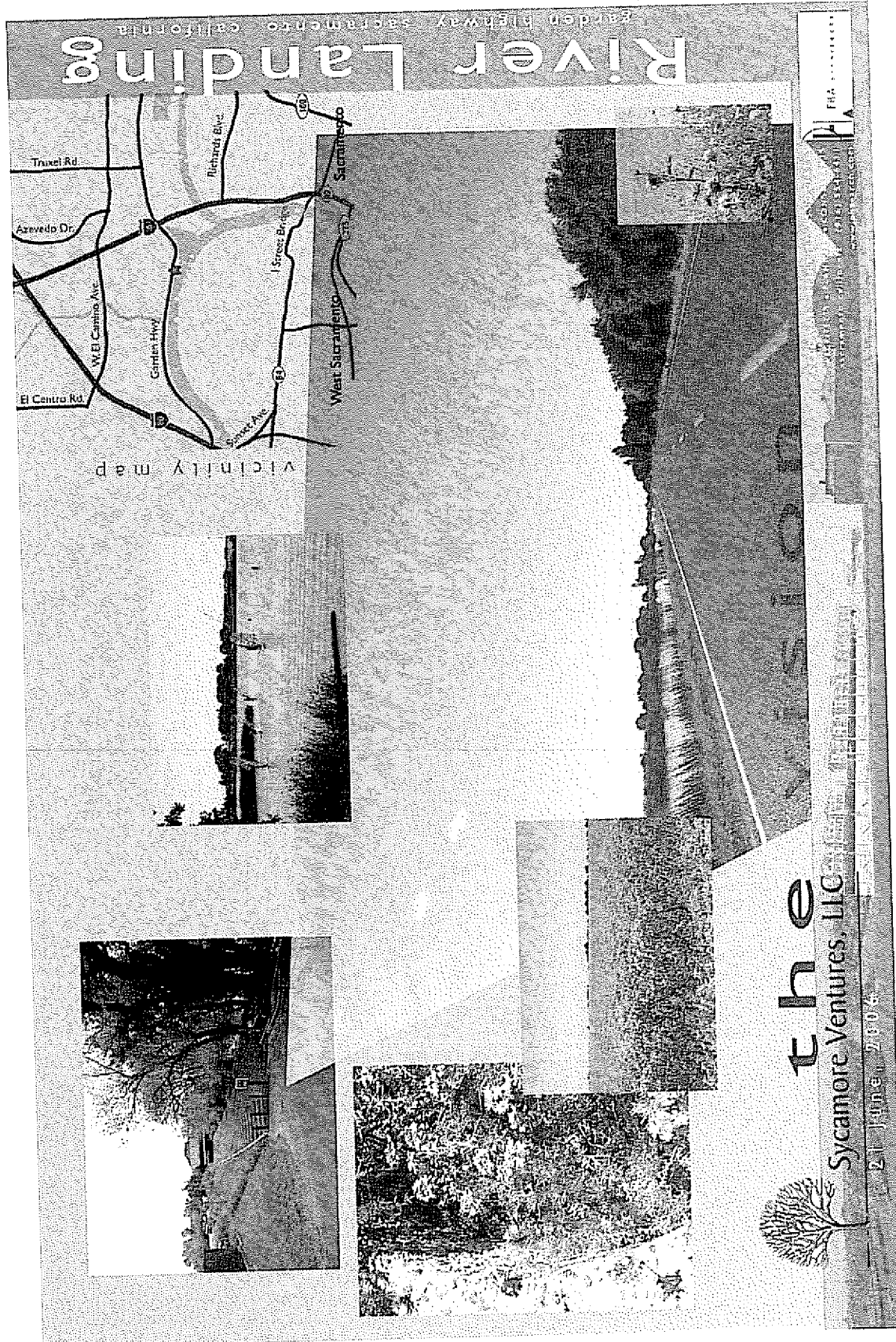
11. The building design and colors for the new condominiums shall be as indicated in the DRPB Staff report and the exhibits. Applicant shall work with City staff to review materials proposed to reduce potential for daytime glare. Corrugated metal siding shall be modified to be a more formal profile and color, and with additional thickness.
12. Final heights and massing shall be as indicated on the plans.
13. Final colors and materials shall be as indicated on the plans and the color/material board except as amended.
14. Final roof plan and site plan with mechanical equipment locations and screening shall be reviewed and approved by staff.
15. Final exterior lighting fixture locations and cut sheets shall be reviewed and approved by staff. Applicant shall submit accurate renderings of proposed nighttime lighting conditions to City staff.
16. It is recommended that the applicant develop CC&Rs to restrict hours and level of nighttime illumination.
17. All required new and revised plans shall be submitted for review and approval of staff prior to issuance of building permits. **A set of the appropriate plans shall be submitted directly to Design Review staff.** Any necessary planning entitlements shall have been approved by the Planning Commission or the Zoning Administrator prior to final Design Review sign off of plans.

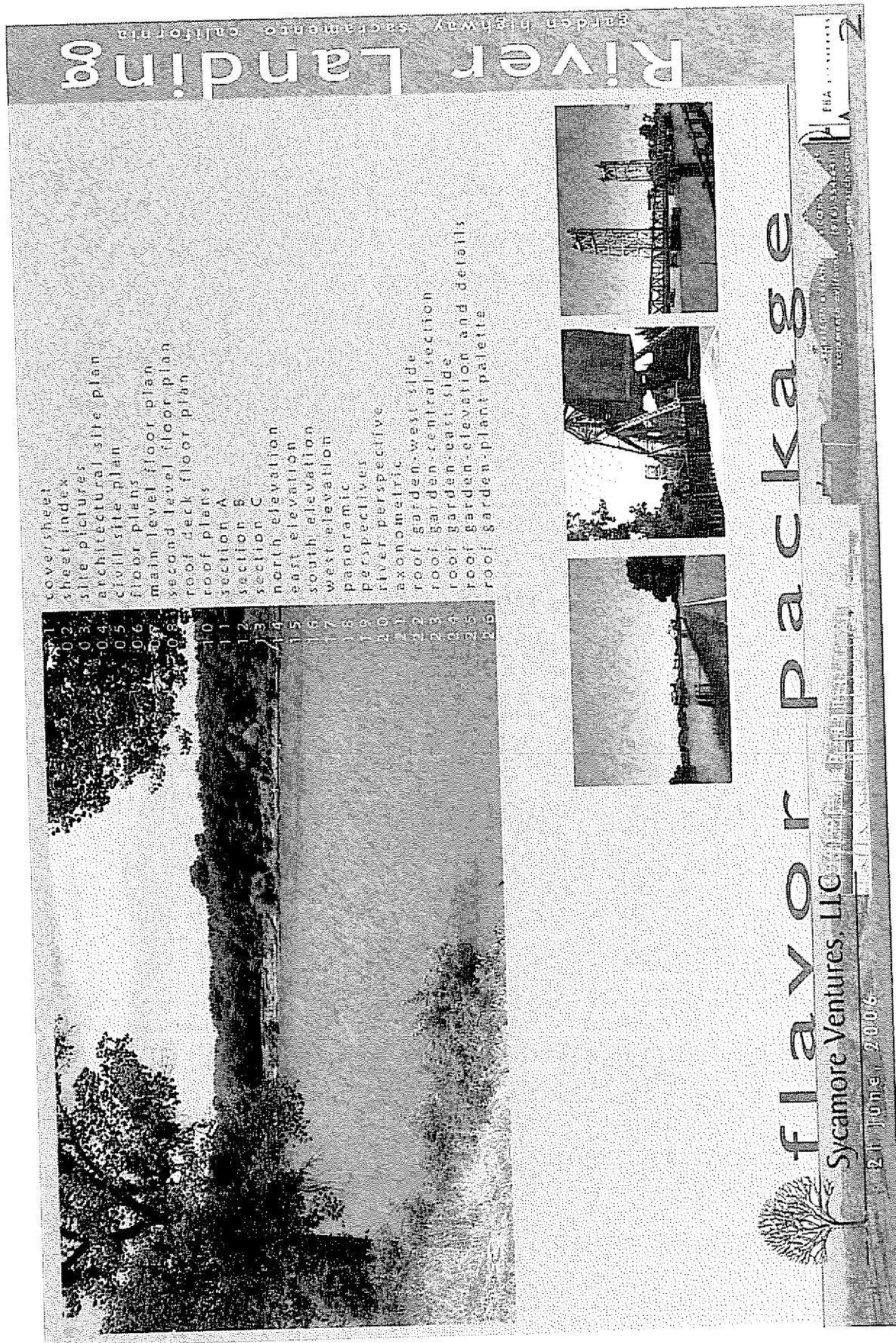
18. Final occupancy shall be subject to approval by Design Review staff and shall involve an on-site inspection.

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Exhibit A: River Landing Project

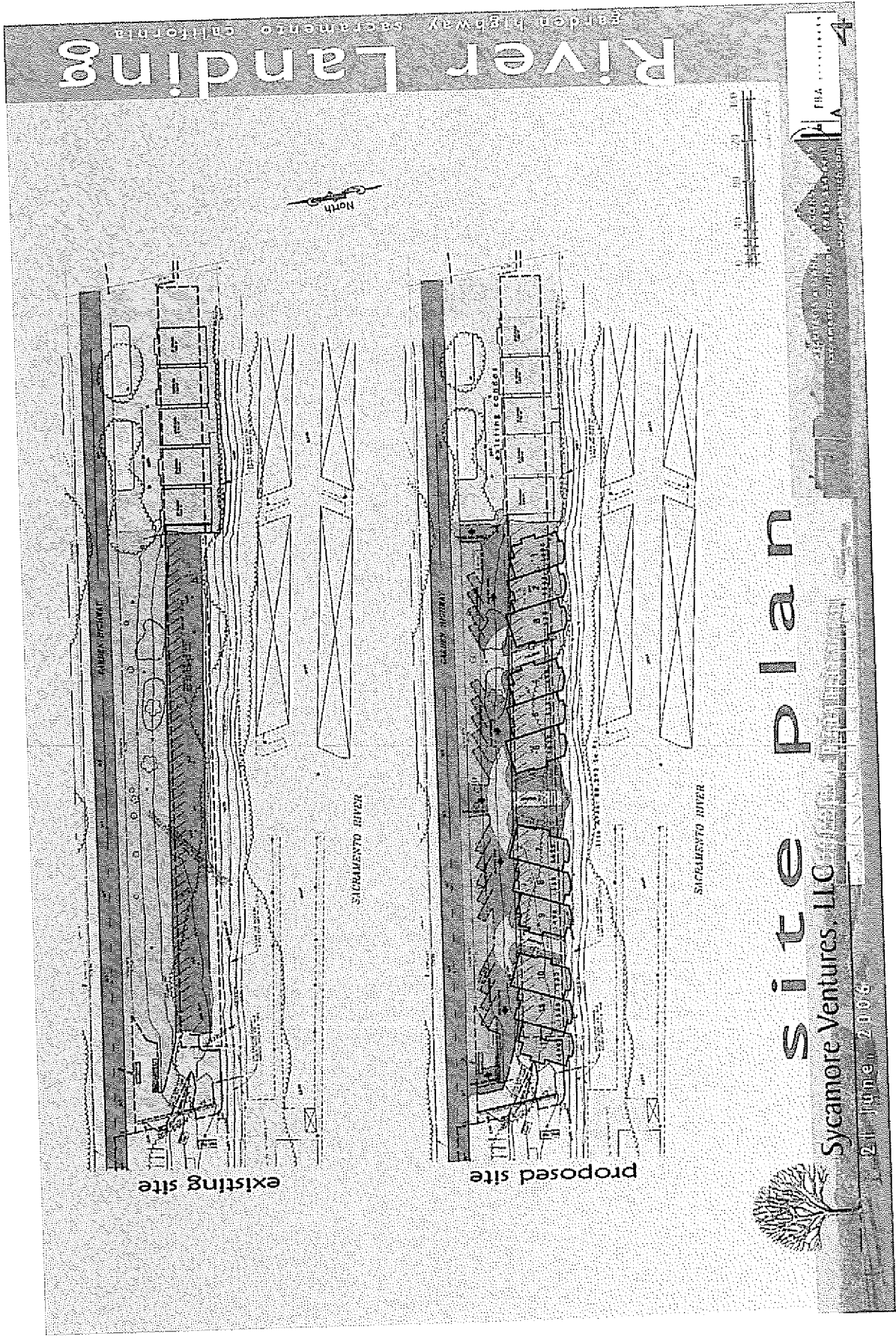
Exhibit A: River Landing Project





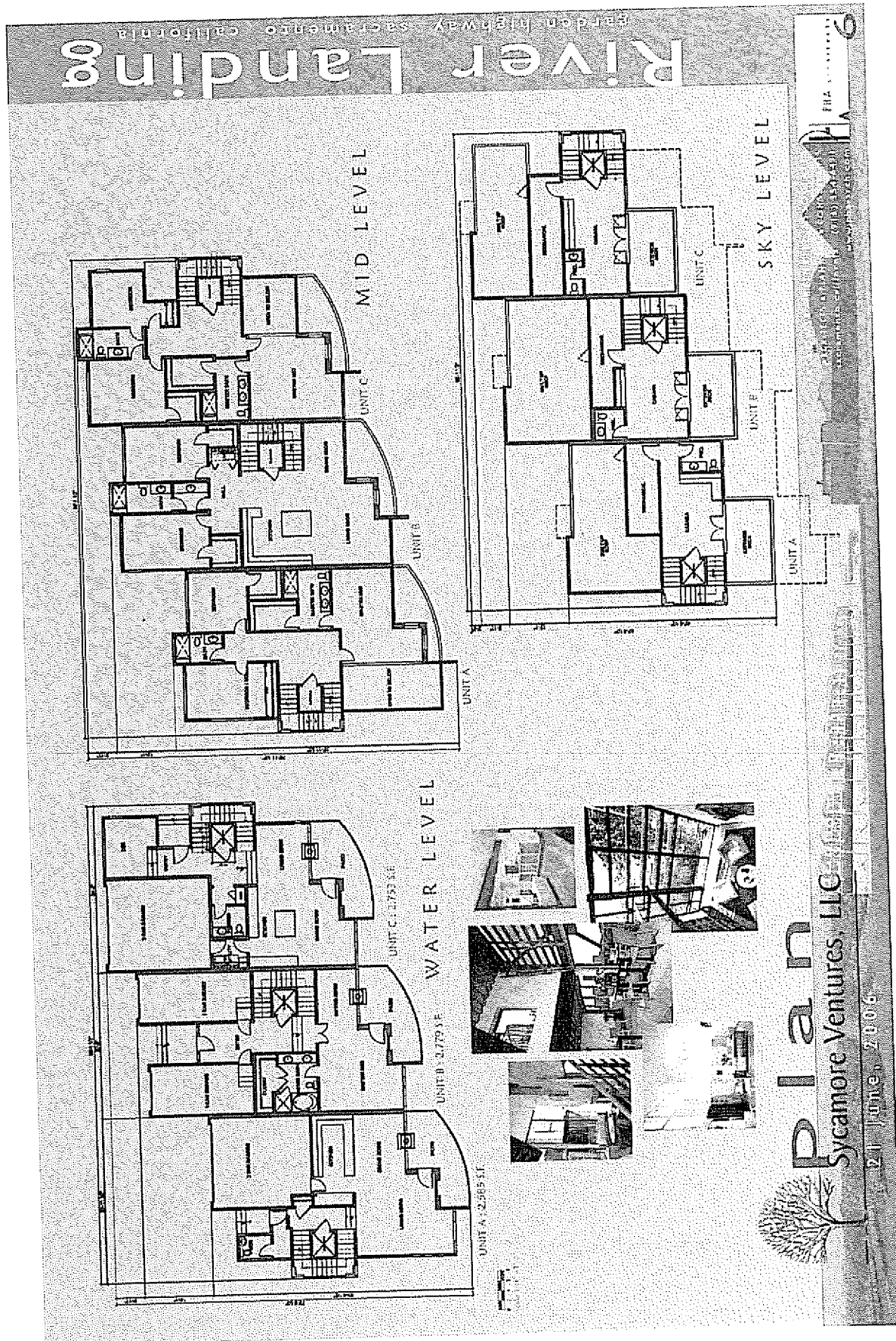


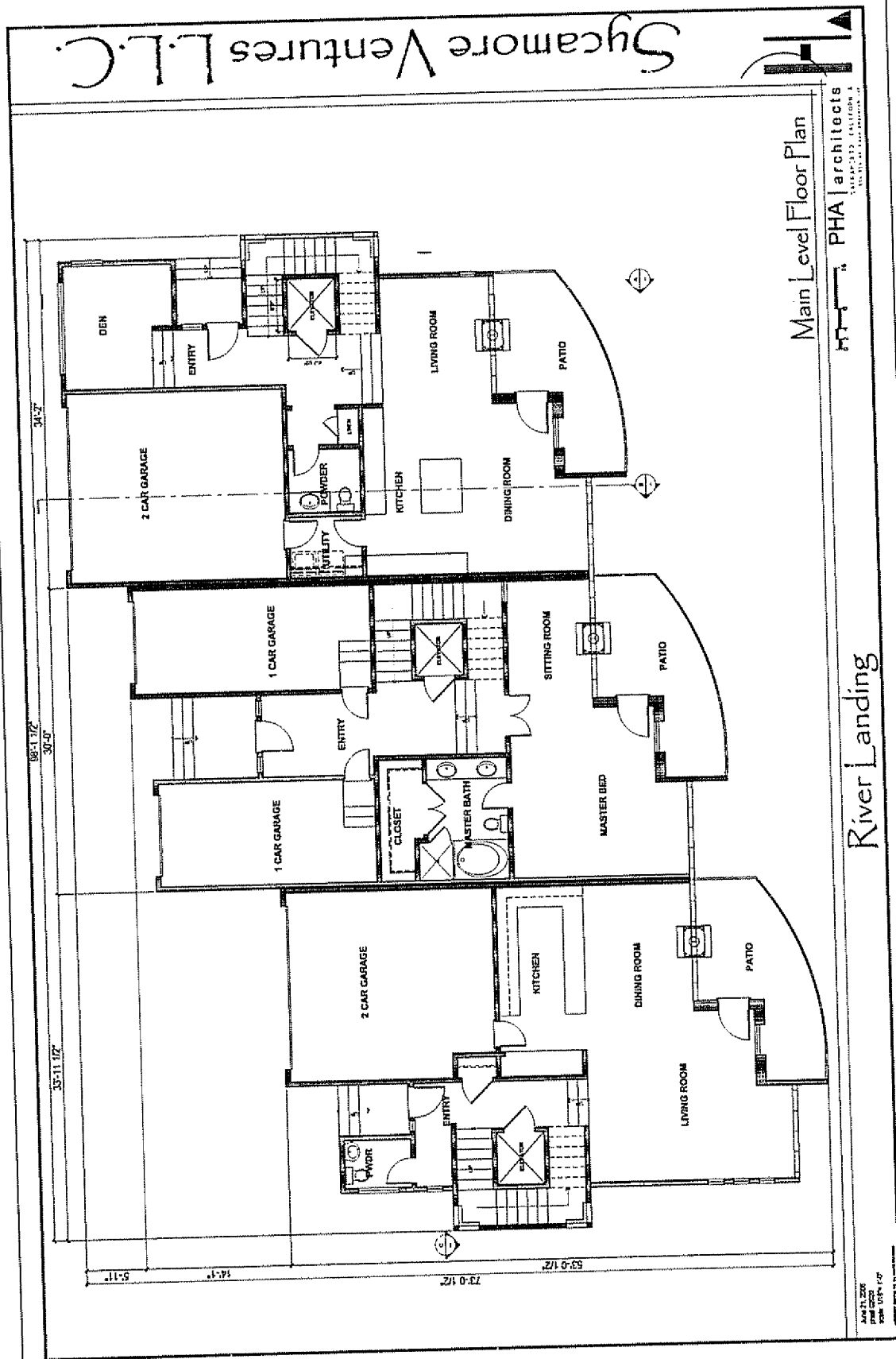


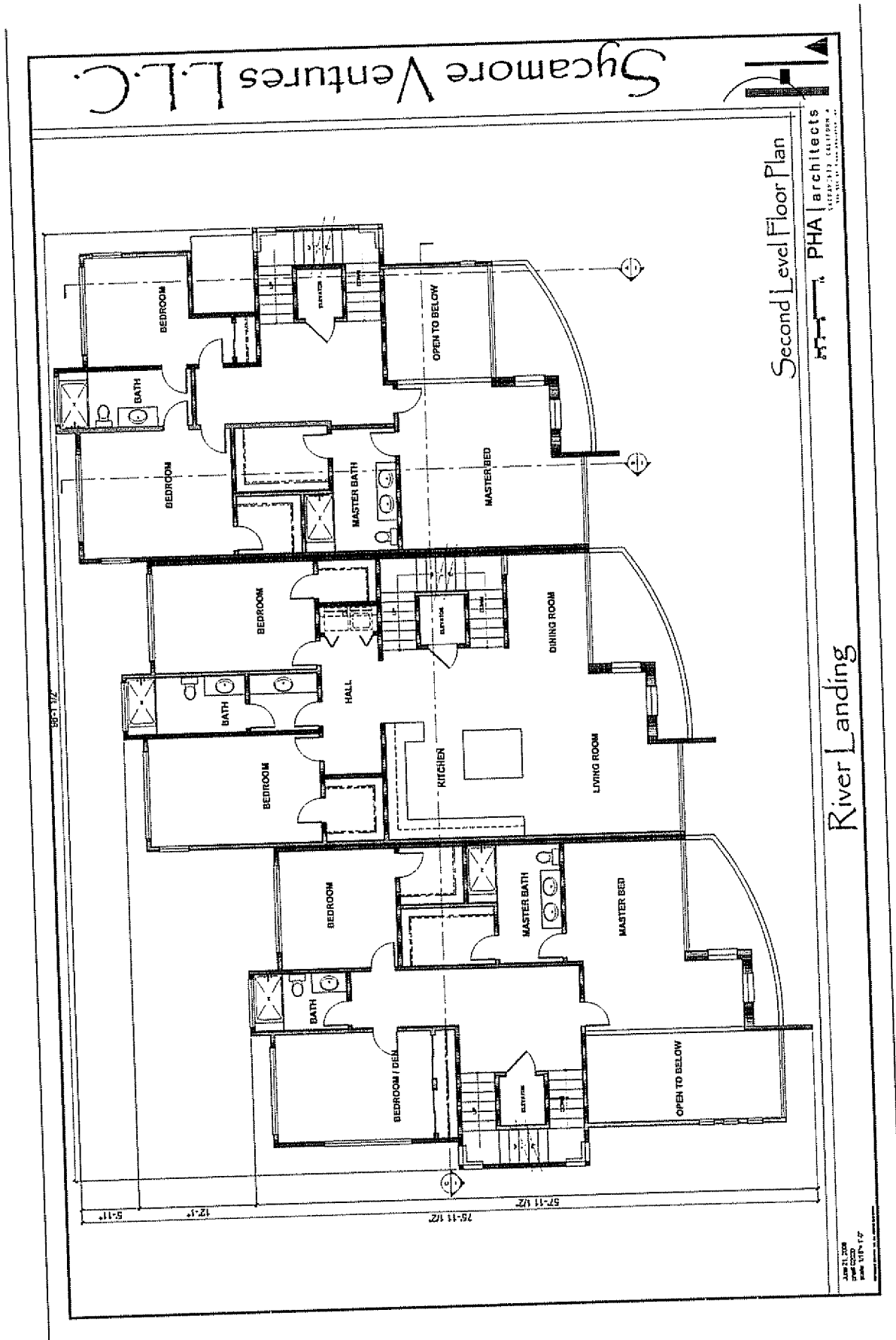


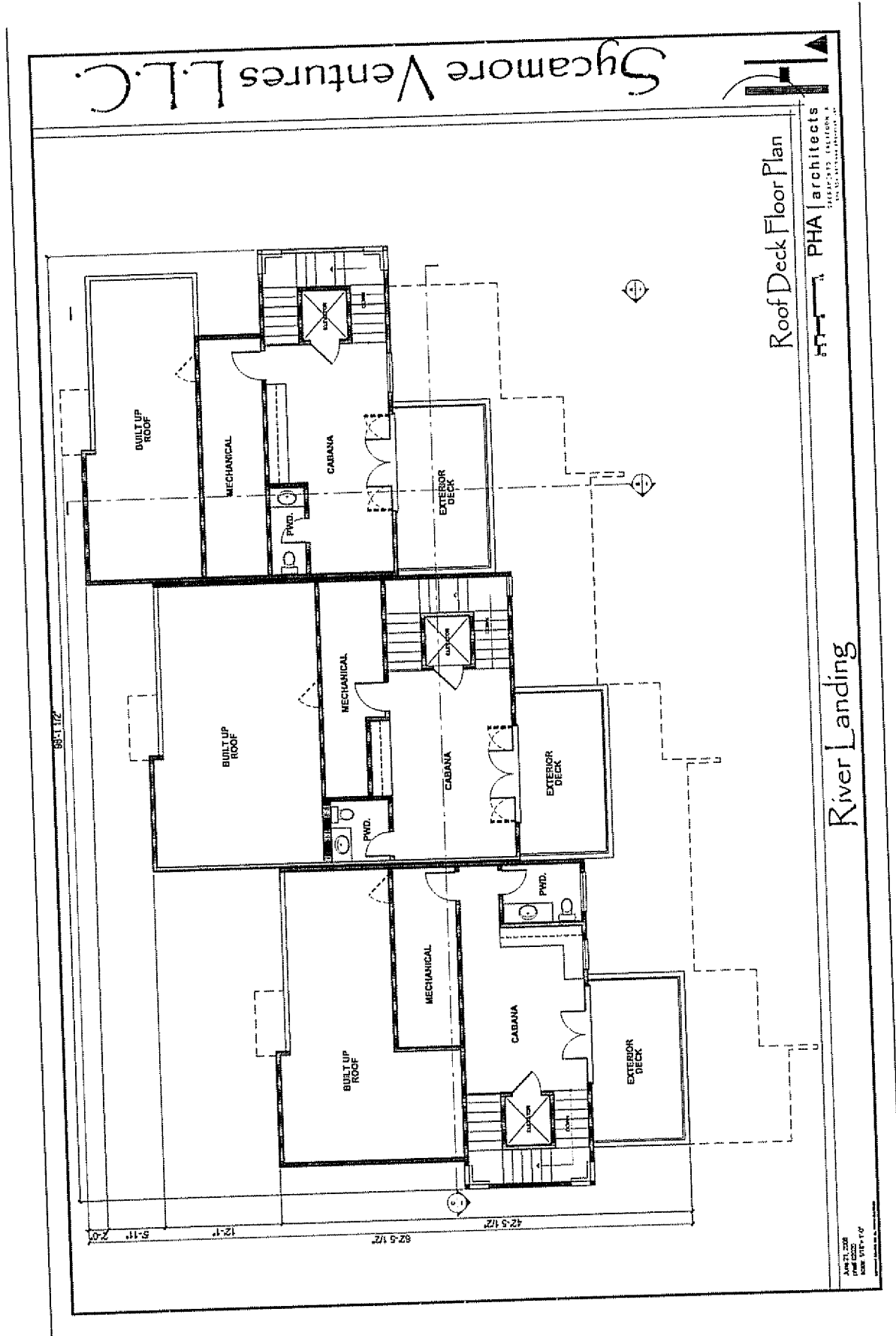


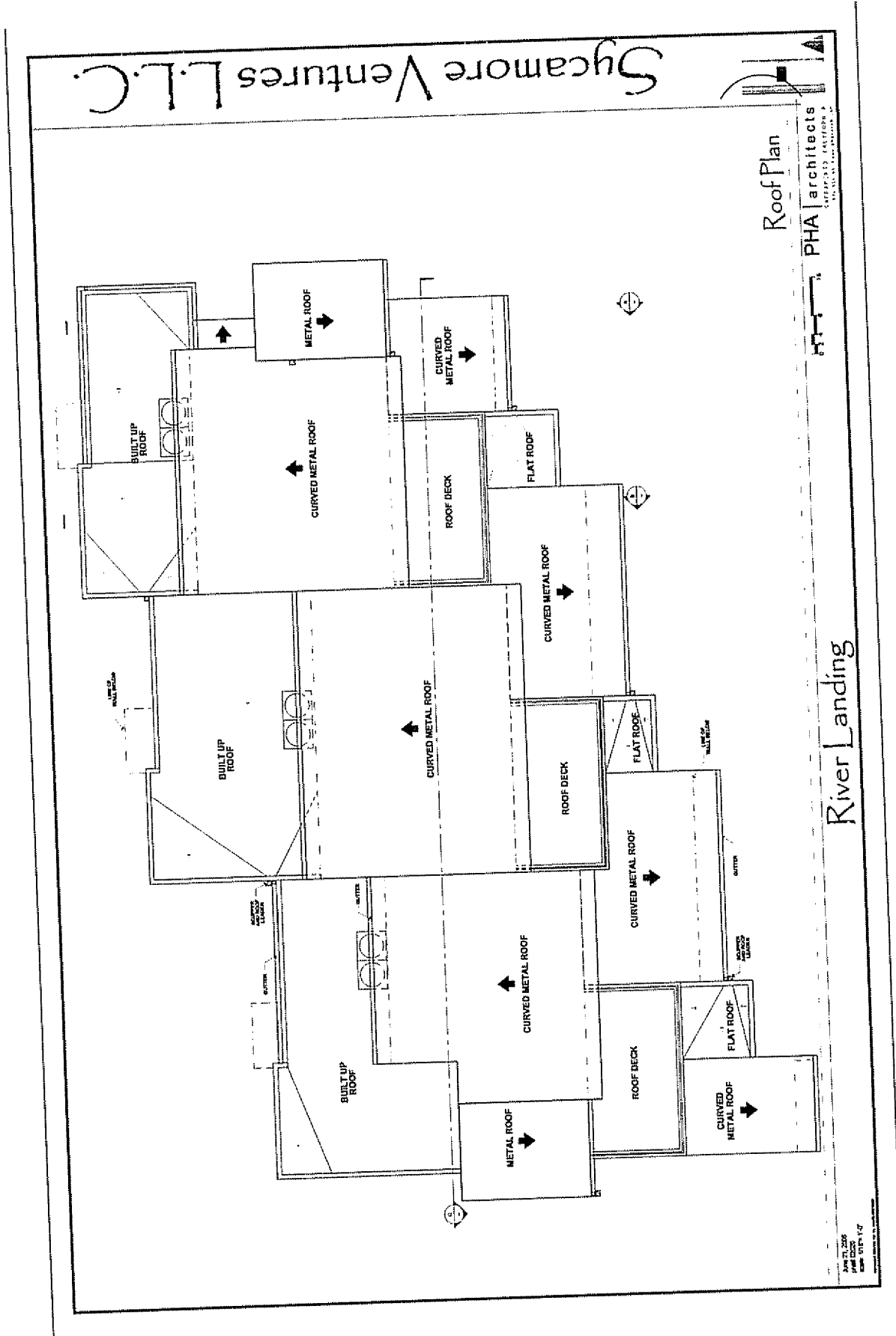


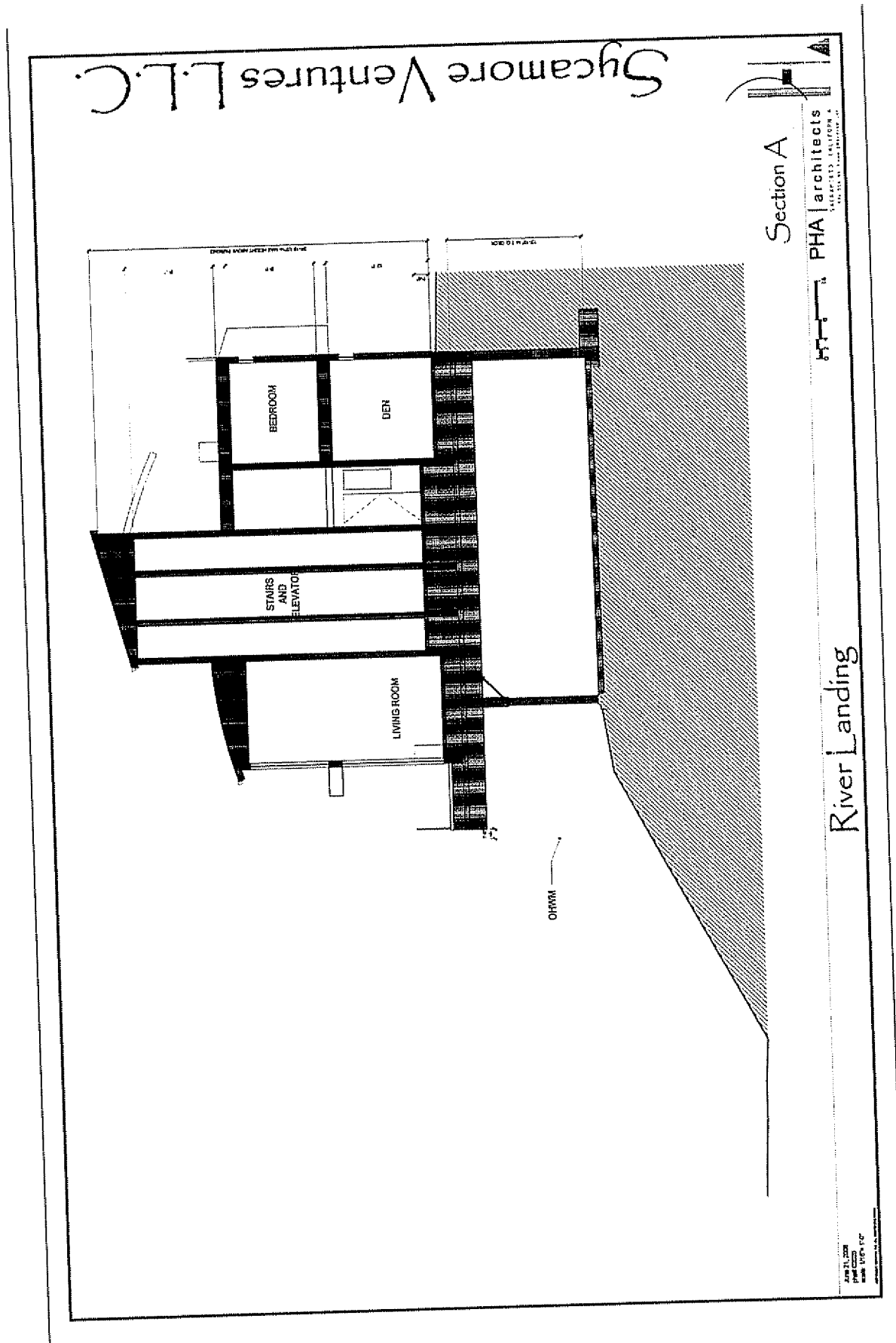




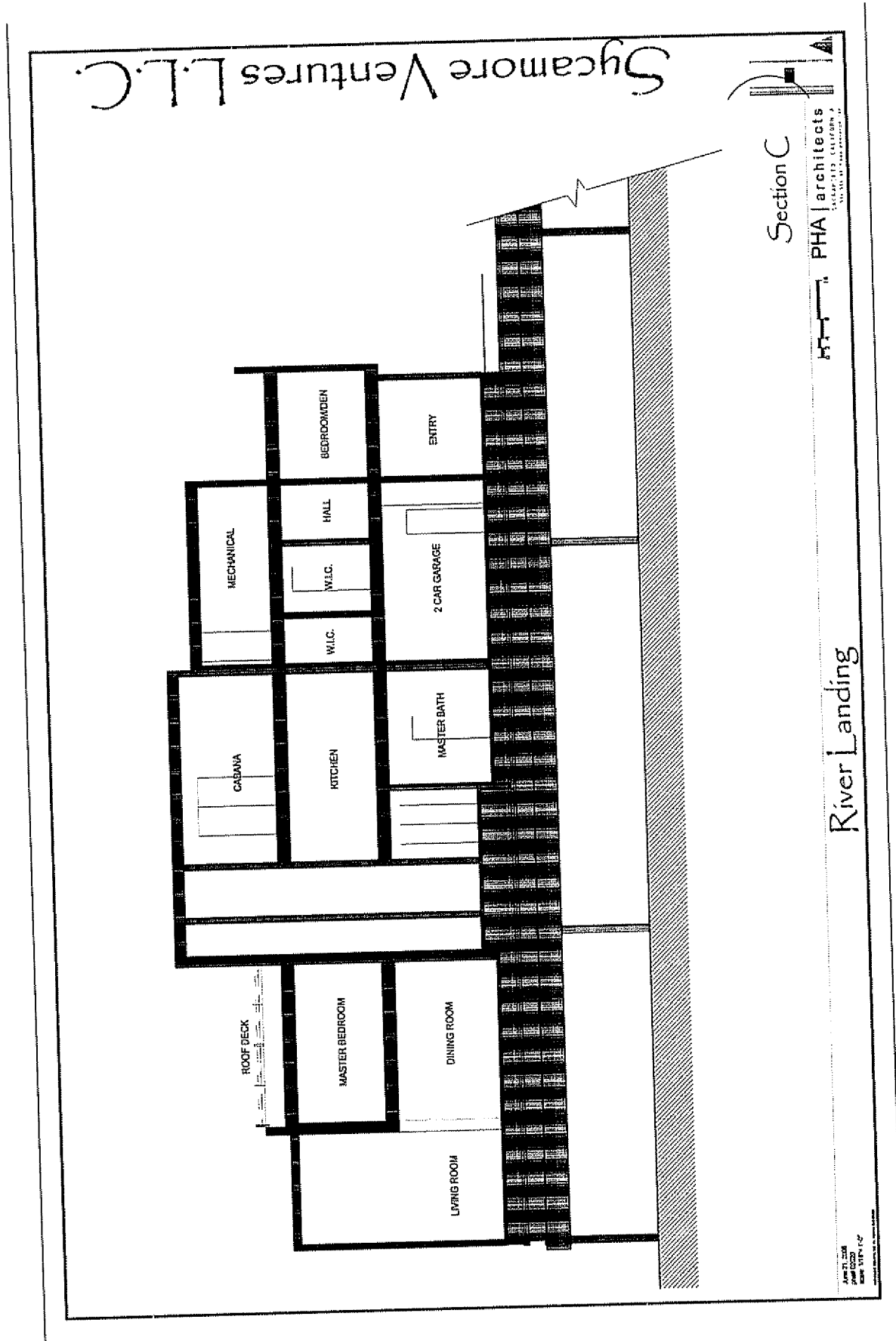




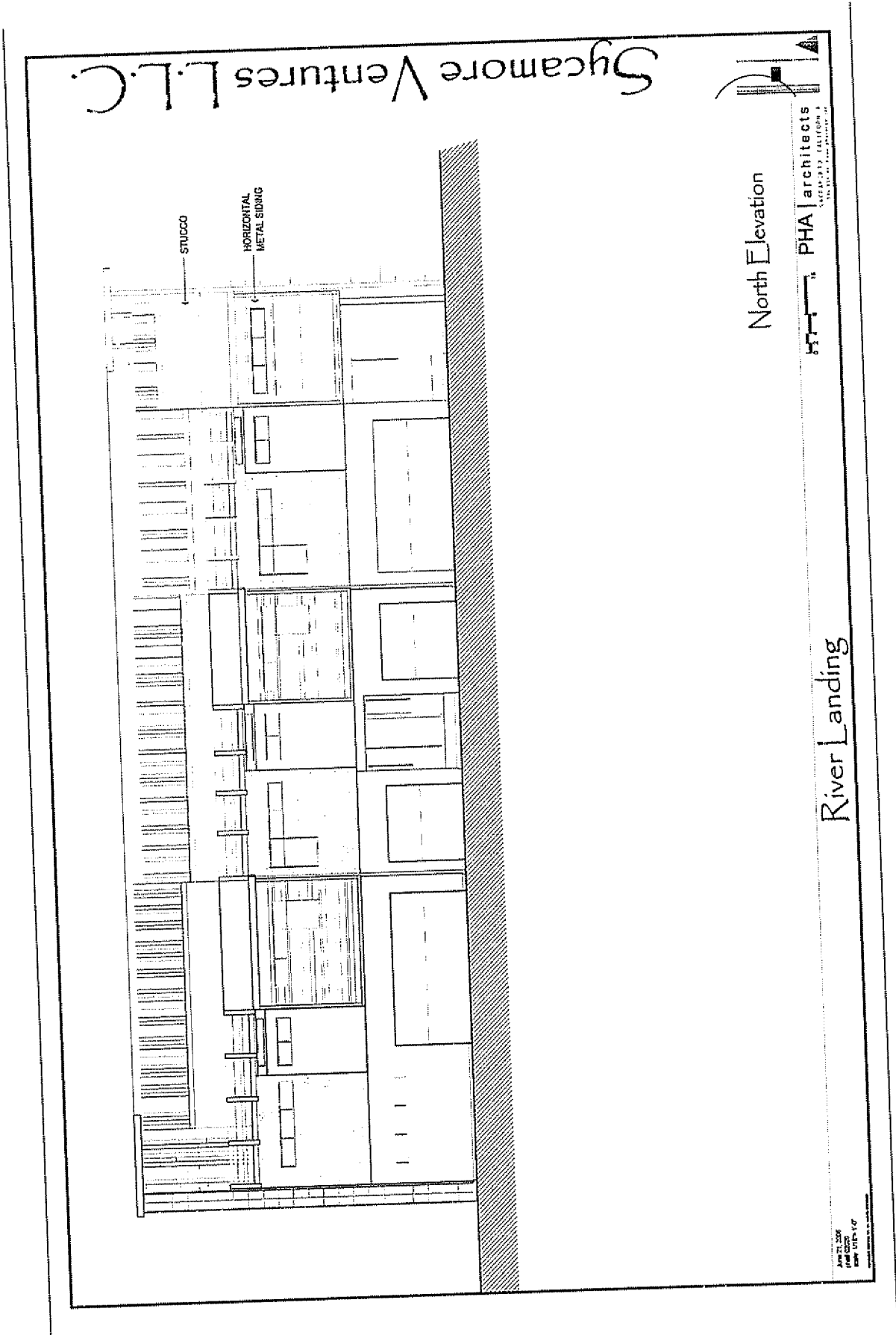


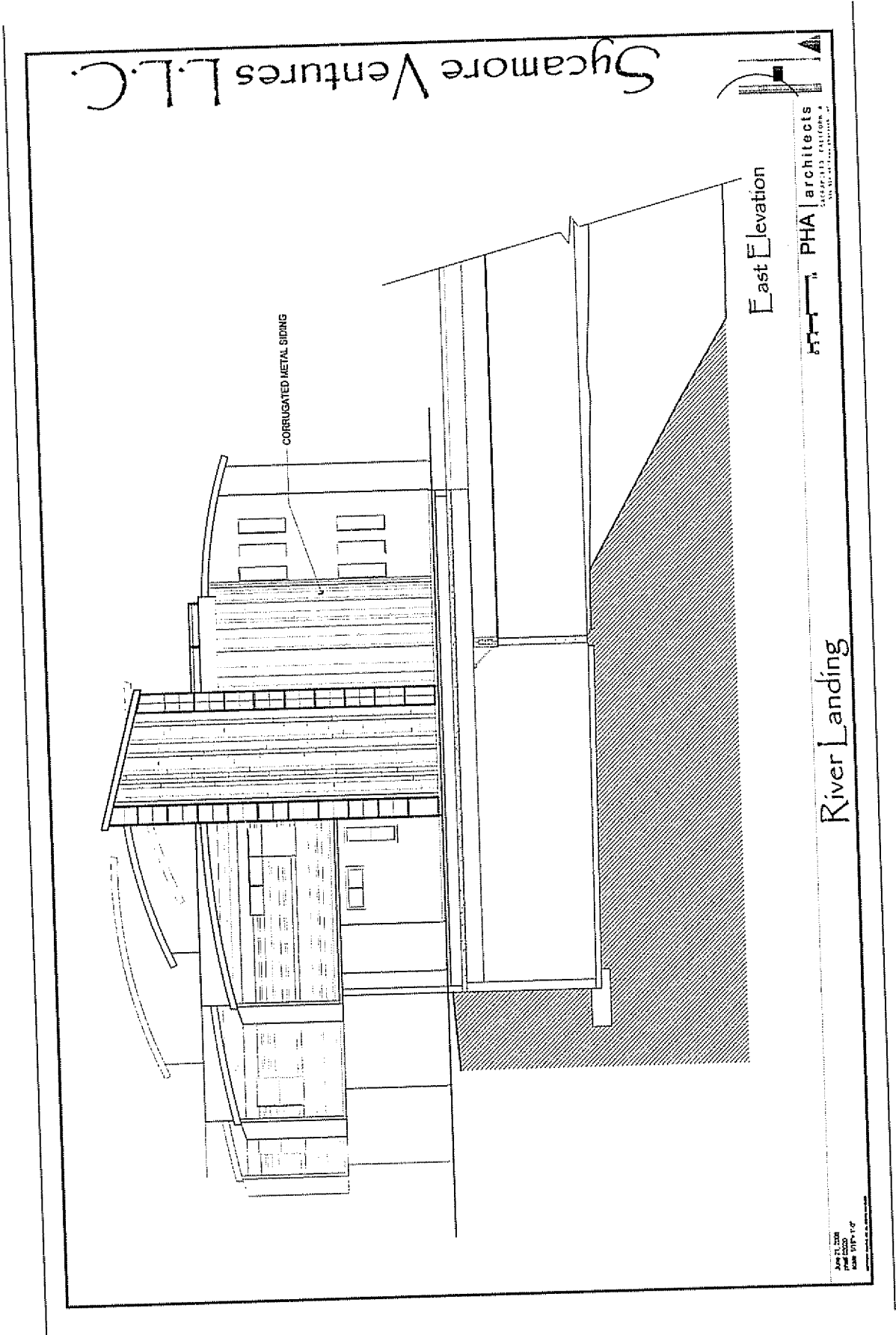


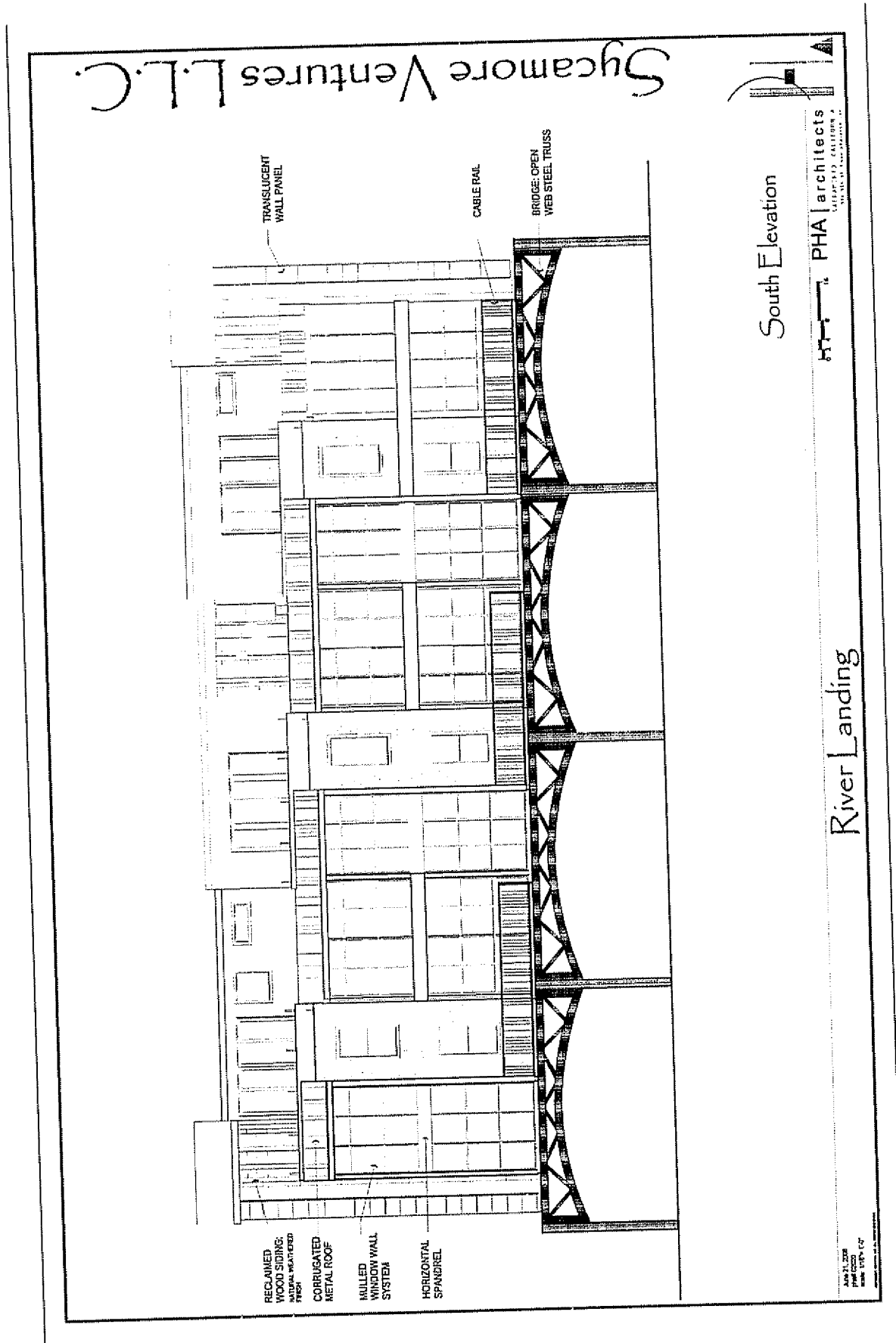


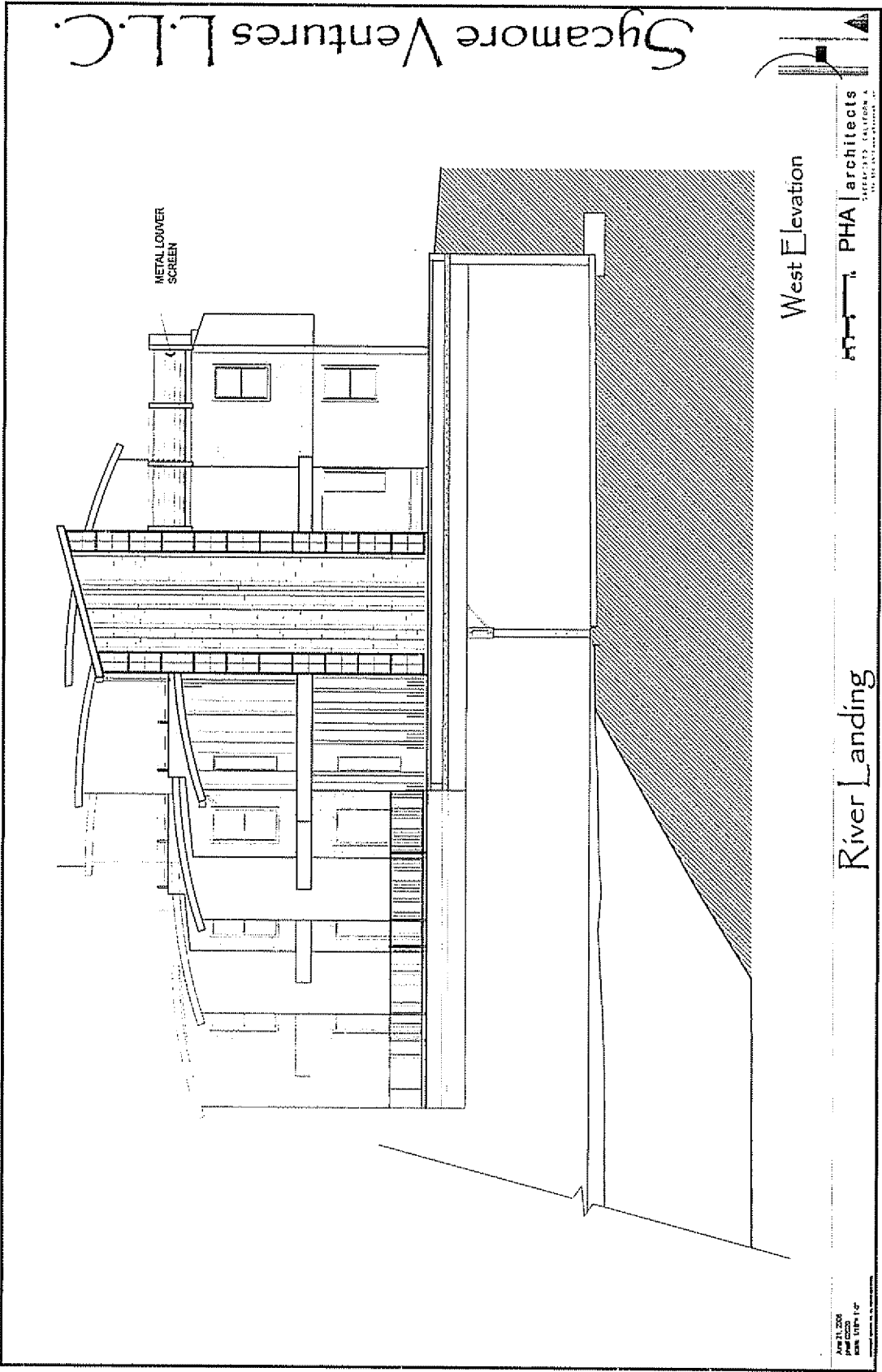


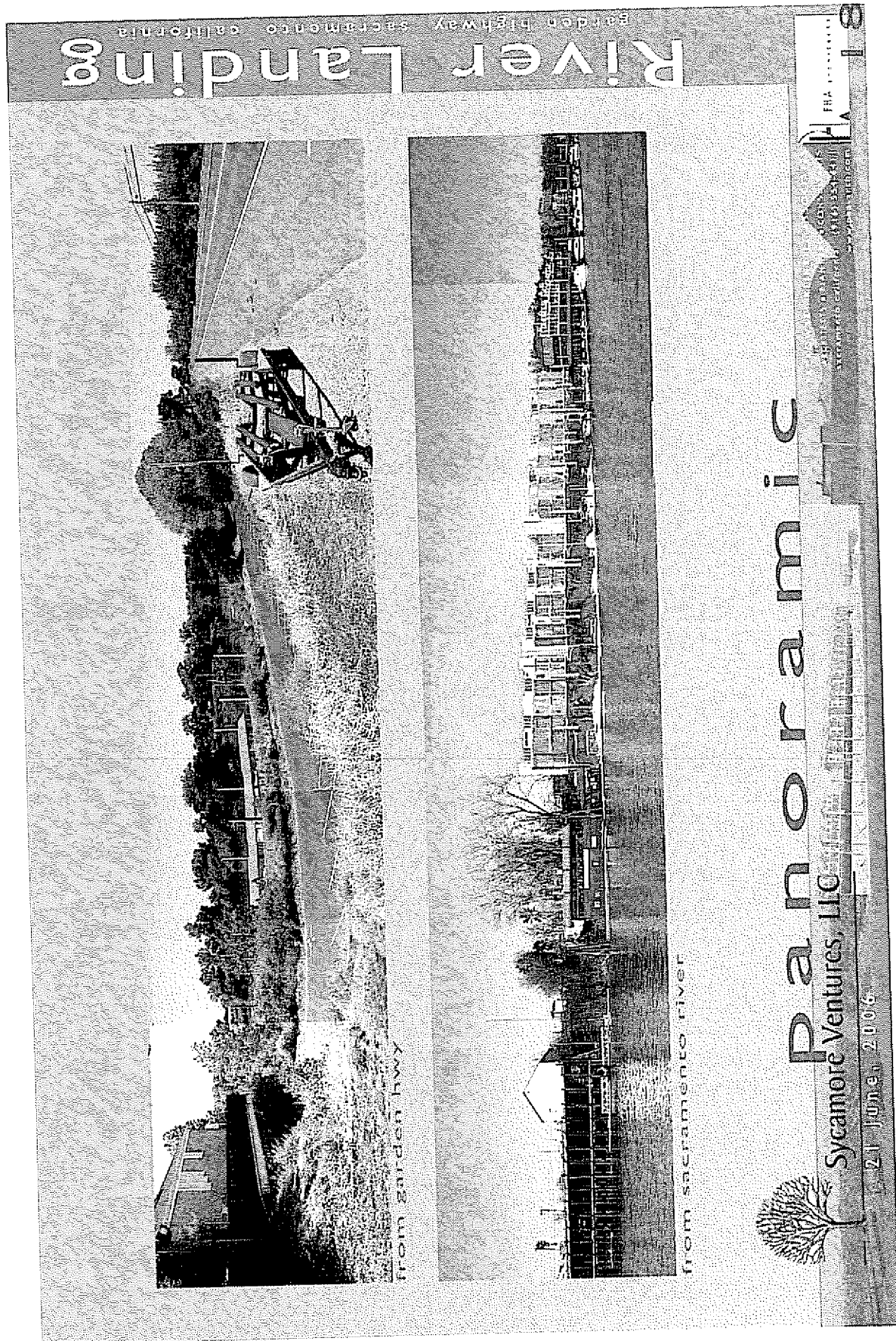


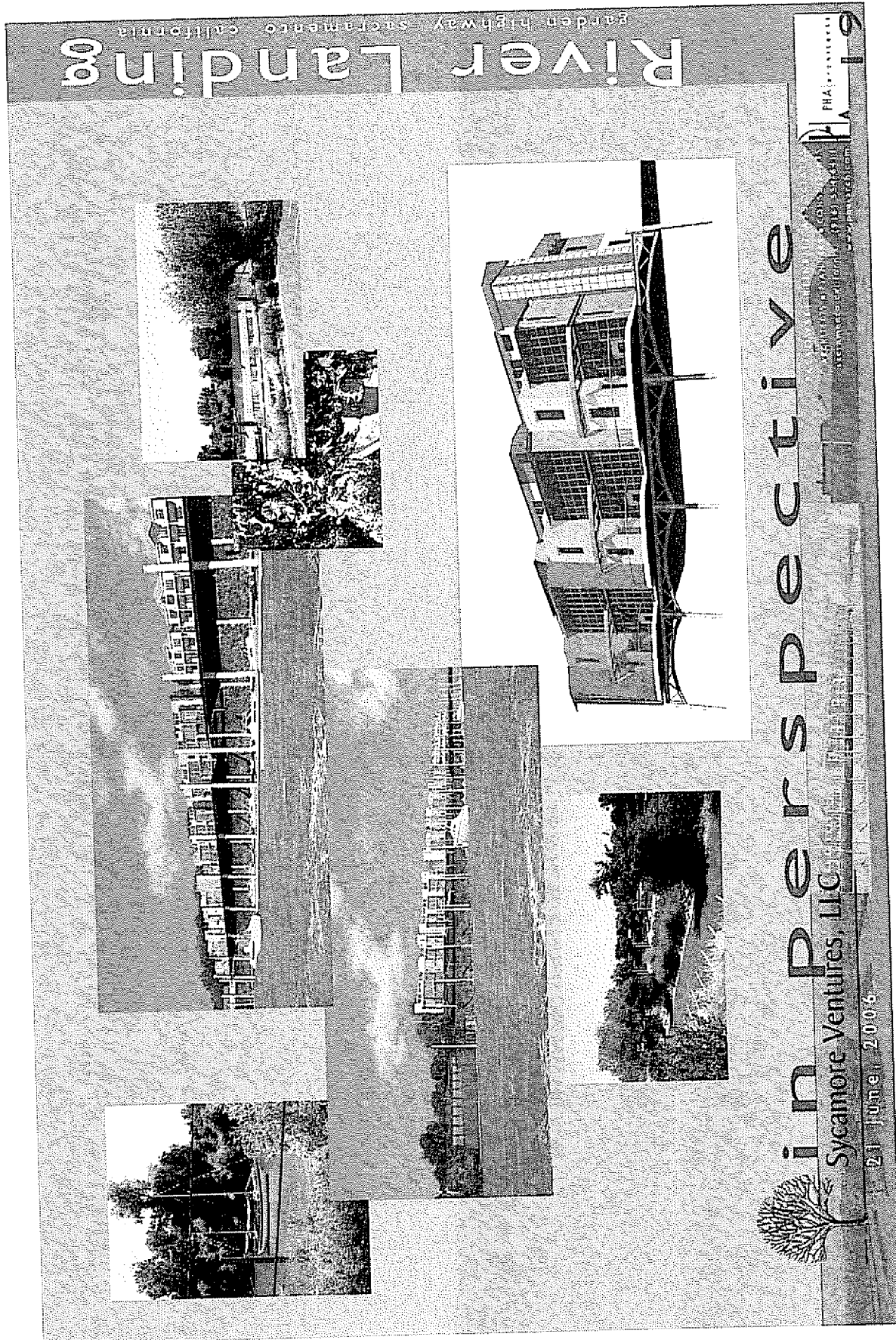




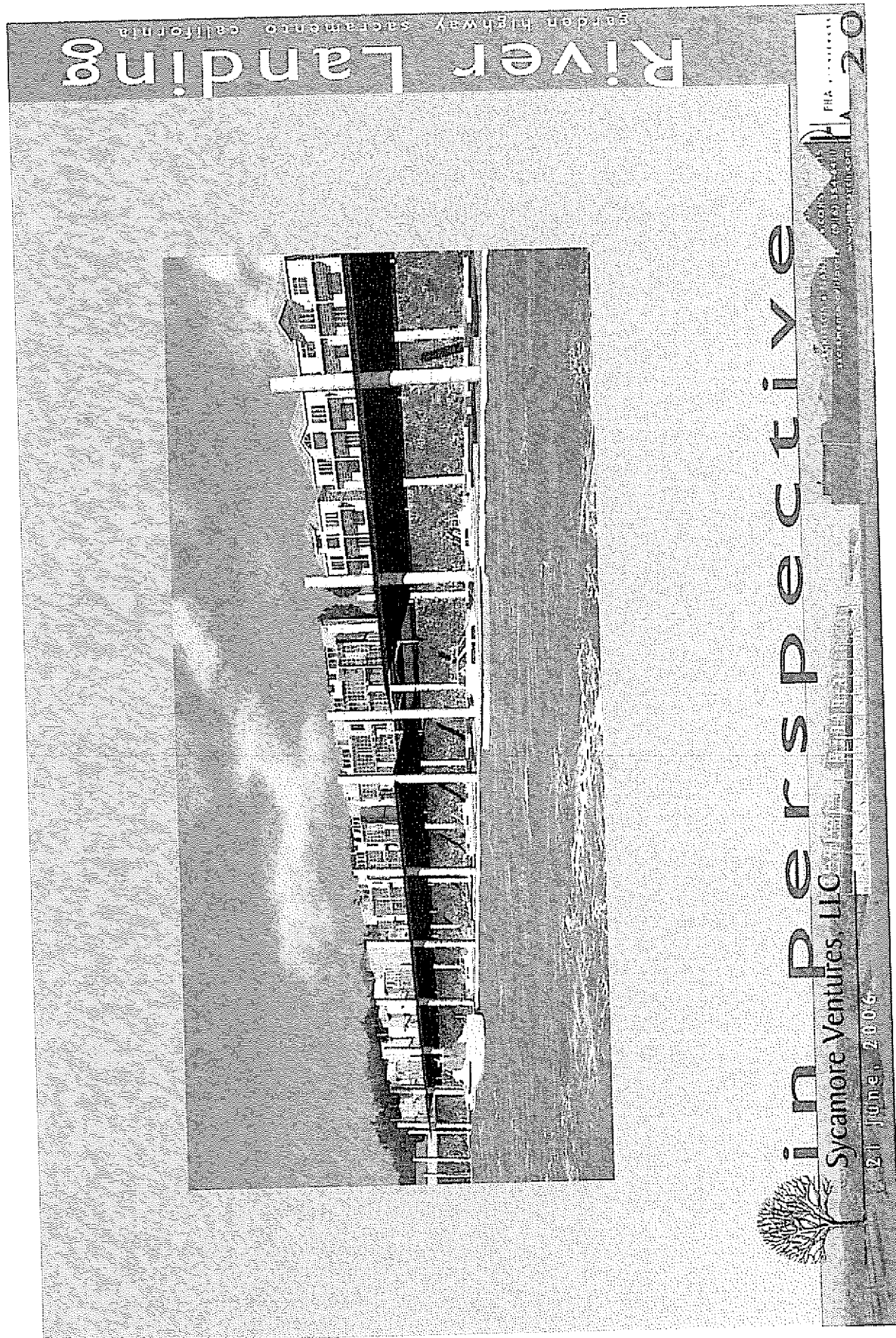


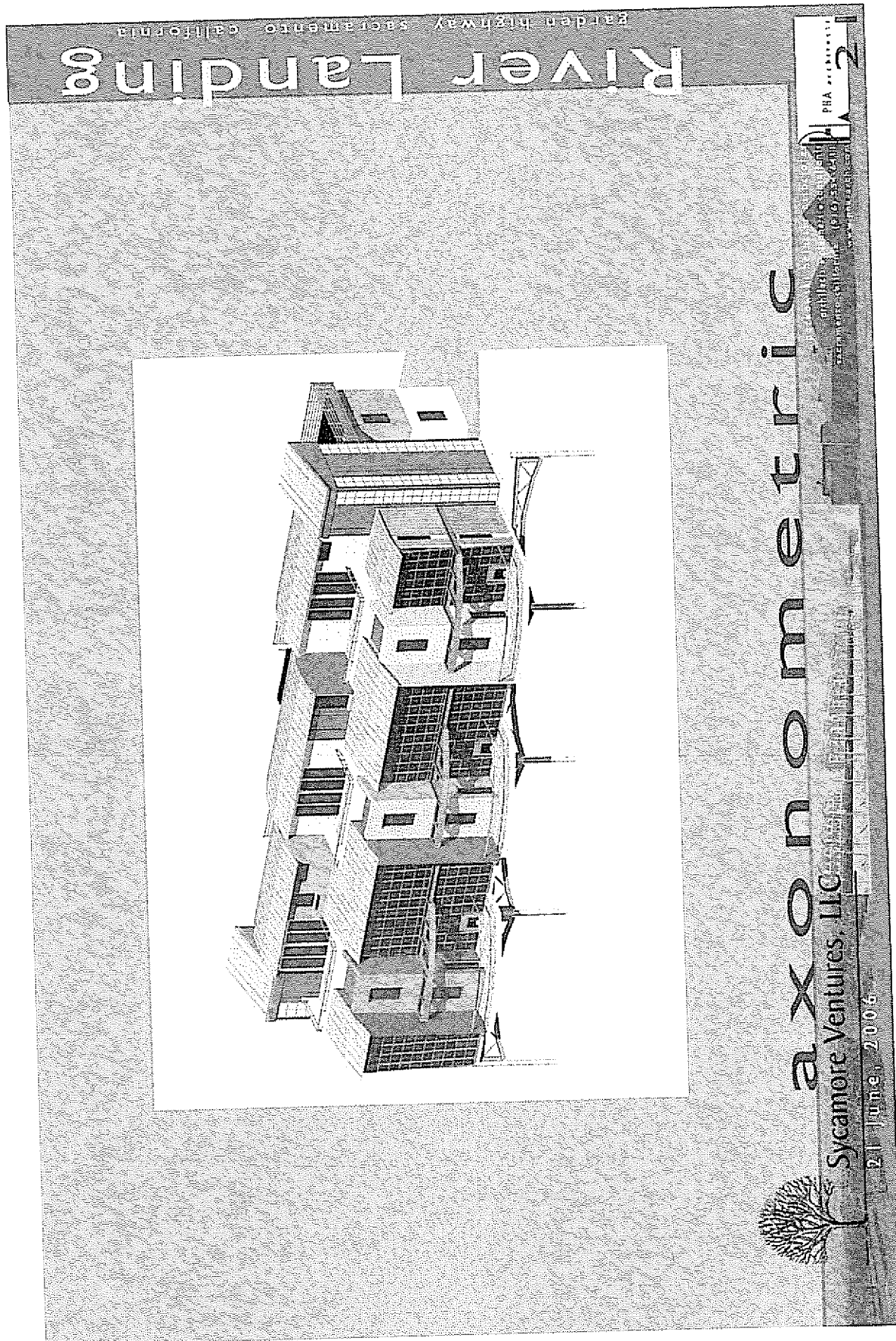




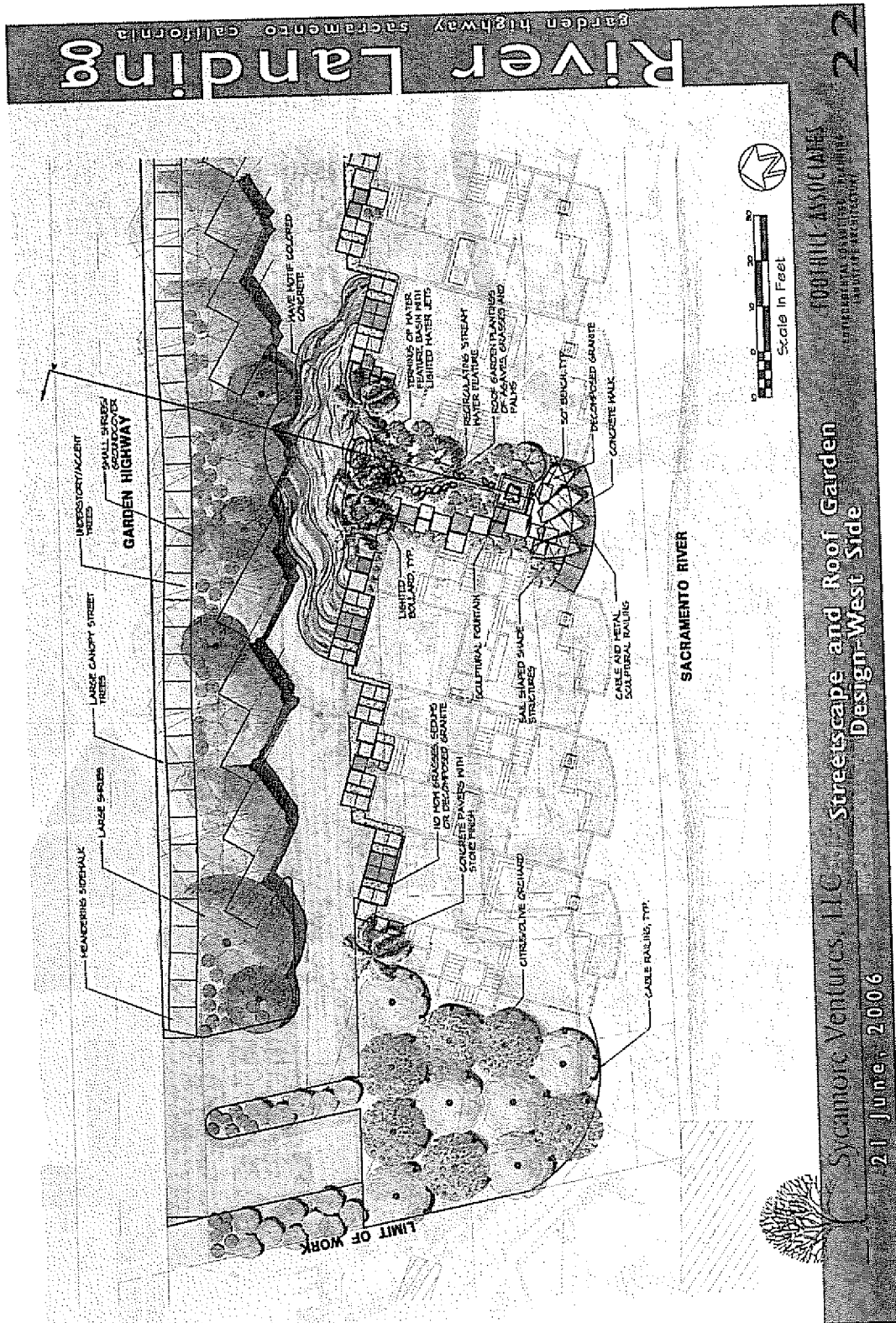


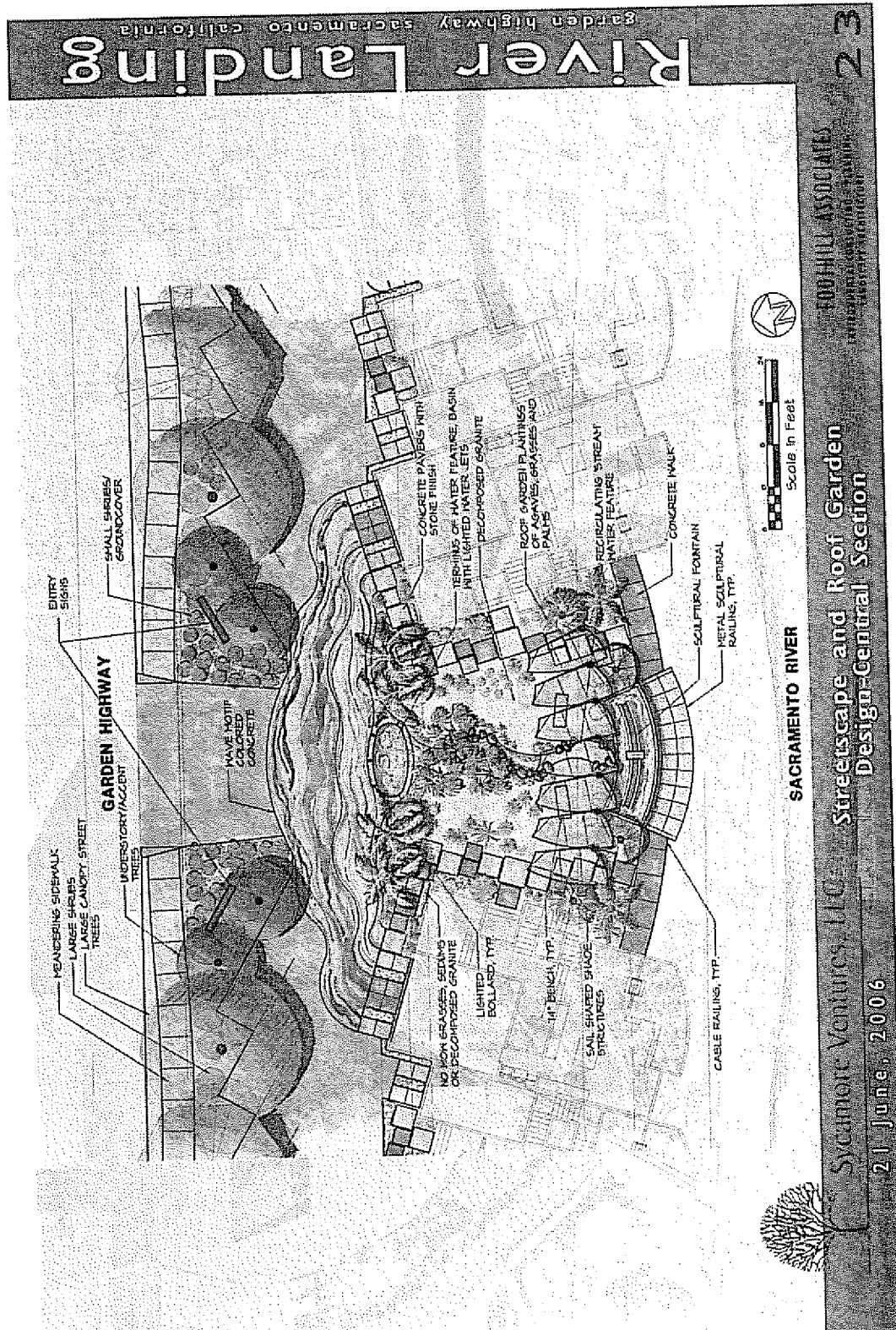


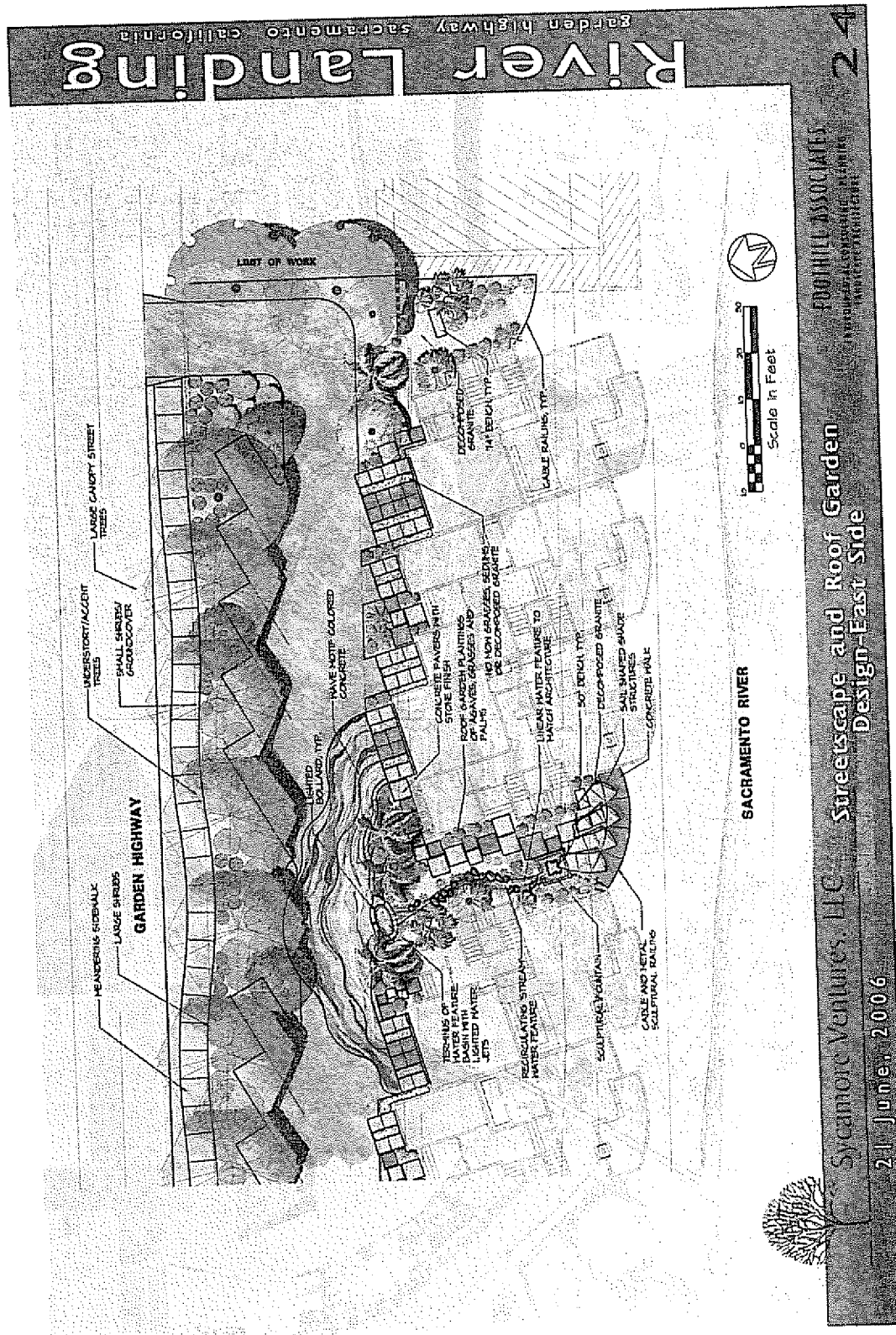


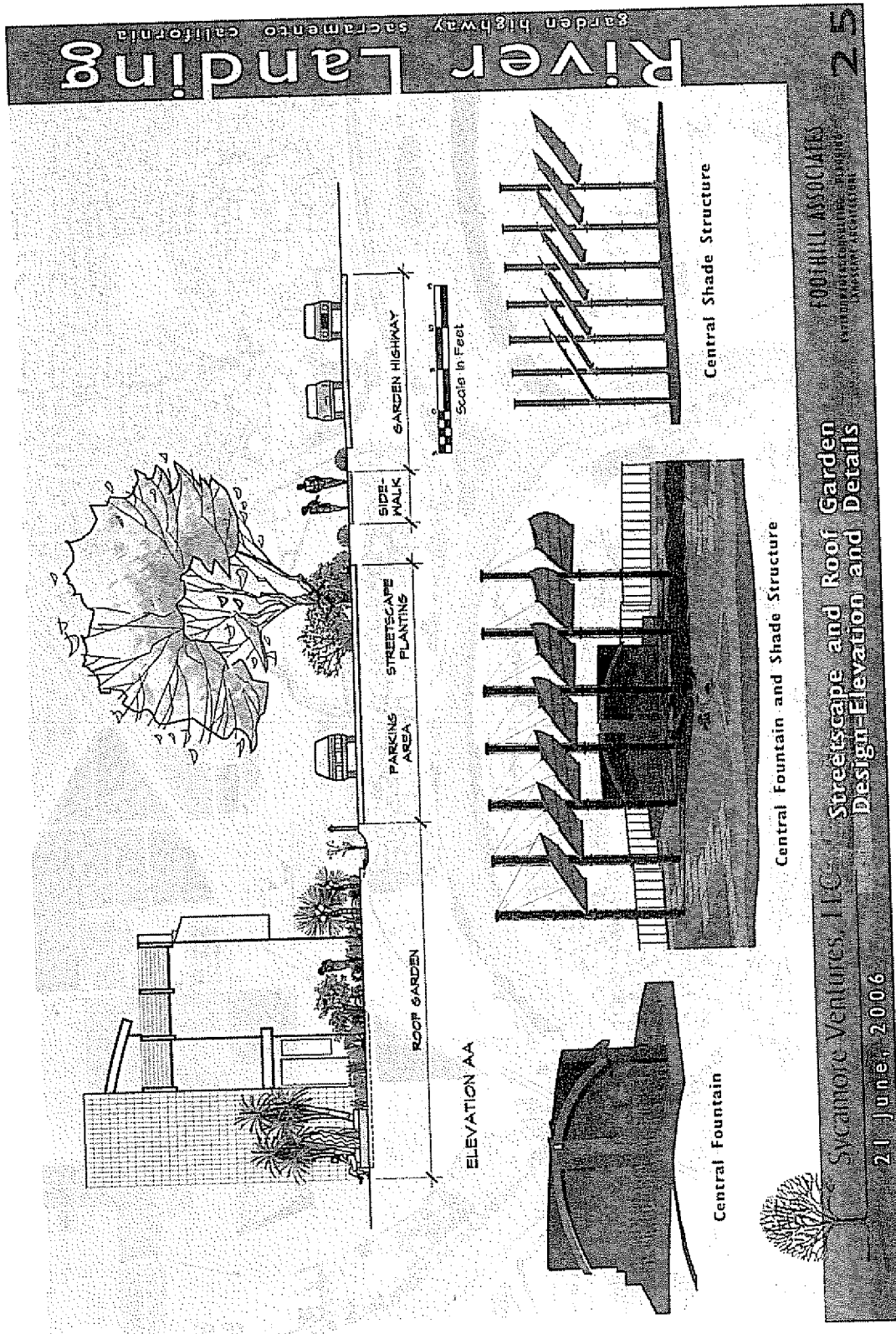


















# **REPORT TO DESIGN REVIEW AND PRESERVATION BOARD City of Sacramento**

EXHIBIT B

**HEARING  
June 21, 2006**

Honorable Members of the Design Review and Preservation Board

**Subject:** 1400 Garden Highway, four residential tri-plex condominiums, 2 stories with roof decks and parking underneath. A request to develop a new condominium complex in the Expanded North Design Review District.

**A.** Environmental Determination: Adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan

**B.** Design Review of Proposed Condominium Complex

**Location/Council District/ Design Review District:**

1400 Garden Highway, Sacramento, CA

Assessor's Parcel Number 274-0320-035

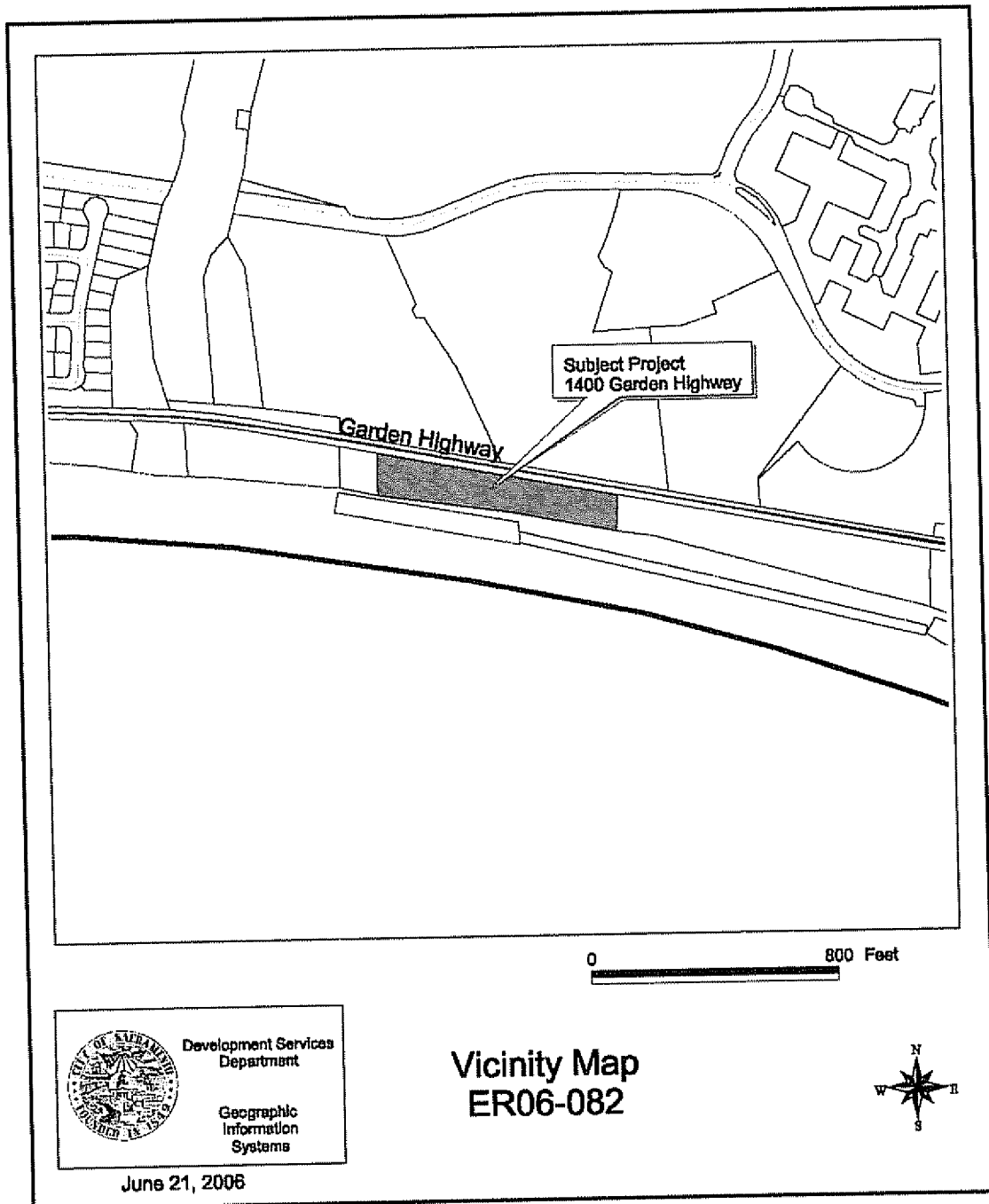
Council District 2

North Sacramento Design Review District

**Recommendation:** Staff recommends the Board approve the request based on the findings and subject to the conditions listed in Attachment 1. The Board has final approval authority over items A and B above, and its decision is appealable to Planning Commission.

ER06-082

JUNE 21, 2006



ER06-082

JUNE 21, 2006

**Applicant:** PHA Architects, (916) 554-6411, 1730 I Street, Sacramento, CA 95814

**Owner:** Sycamore Ventures, (916) 925-7559, 2020 Hurley Way, Suite 485, Sacramento, CA 95825

**Summary:** The proposed condominium project requires a Special Permit modification of the previous special Permit approved by the Planning Commission because the site and building design have been modified from the original approval. In addition, it requires Design Review approval since the project is located within the Expanded North Area Design Review District.

Because the ordinance allows staff level approval of the project in the Expanded North area, staff had originally worked to get this approved at staff level. A notice of action with conditions of approval was sent out, but the mailing was incorrect and adjacent property owners were not properly notified. The staff approval was then rescinded, especially since at that point it became clear that the new design would definitely not be supported by some of the neighbors, and an appeal of staff action was likely. Staff then determined to bring this to the Board for review. Staff supports the proposed design with the conditions indicated in this report.

Table 1: Project Information
<b>Existing zoning of site:</b> F (Flood)
<b>Existing use of site:</b> existing condominiums adjacent, area of proposed development vacant
<b>Property dimensions/area:</b> 1.84 acres ( approx. 108' X 798')
<b>Building square footage:</b> Unit 1: 1,327 s.f. footprint ; Unit 2: 1,389 s.f. footprint ; Unit 3: 1,467 s.f. footprint. Total footprint per bldg: 4,183. <b>Habitable area:</b> Unit 1: 2,585 s.f.; Unit 2: 2,779 s.f.; Unit 3 2,753 s.f.
<b>Building height:</b> 37'-0" from platform to highest point
<b>Exterior building materials:</b> Cement plaster, aluminum storefront system, corrugated metal roofing, vertical and horizontal corrugated metal siding, reclaimed wood siding

**Public/Neighborhood Outreach and Comments:** Staff contacted the adjacent property owners and neighborhood association on May 30, 2006 with notice of the hearing for June 21, 2006. Staff has met with the majority of the adjacent property owners, and had discussion with various property owners in the vicinity. Many are in support of the design but have other concerns, and some are not in support of the proposed design.

**Environmental Considerations:** The Environmental Services Manager has reviewed the project for compliance with the requirements of the California Environmental Quality Act (CEQA). A Negative Declaration has been prepared describing the proposed River Landing Project evaluating the potential environmental effects of the proposed project. The Negative Declaration defines the project description and justification for use of Negative Declaration pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 15070). The Mitigated Negative Declaration was circulated for a 30-day public review period from October 27, 2005 through November 27, 2005. Comments were received and addressed within the Mitigated Negative Declaration.



ER06-082

JUNE 21, 2006

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Therefore, it is recommended that the Design Review/Preservation Board adopt the attached resolution considering and adopting the Mitigated Negative Declaration for the River Landing project, adopting the Mitigation Monitoring Plan, finding that this document adequately addresses the impacts of the project, and finding that no subsequent environmental document is required. **See attachment:**

**Policy Considerations:** The proposed project is consistent with the land use designation(s) and applicable policies of the General Plan and the River Front District Community Plan.

**Project Design:** There are no specific commercial guidelines adopted for the Expanded North Area Design Review District. For most projects the North Sacramento Commercial Guidelines have been utilized. In this case, because of the unique location in proximity to the river bank, staff has reviewed the project in the larger context of eclectic riverfront development seen in the vicinity. Staff considered the massing, height and articulation of the mass, planar changes, and use of materials. Staff feels that although a more modern approach to the existing more traditionally massed condominiums; this is a viable design which relates to the river, and alludes to the eclectic blend of riverfront development. In early review of the project, staff utilized a "Peer Review" process that included advice from several architects, including several Board members. Most who reviewed the project felt favorable about the project massing and material usage, as well as the use of sustainable materials. Staff supports the proposed design with the conditions of approval set forth below.

**Staff Evaluation:** Staff has the following comments:

**A. Site Design**

1. The proposed condominiums will be placed to the west of the 5 existing condominiums, and located on 1.84 acres on the south side of Garden Highway and on the north bank of the Sacramento River. The site is west of Gateway Oaks Drive, and Garden Highway intersection in South Natomas. The project consists of 4 clusters of 3 units each, for a total of 12 condos. The units are oriented to the river to take advantage of the views, with parking and garage entries behind the landscaped edge along Garden Highway.
2. **Setbacks:** The proposed structures are sited to comply with all setbacks, with the exception of a variance being requested to match the average setbacks of buildings along the highway.
3. **Auto Access /Site Layout / Landscape:** The project proposes 3 driveways, with a central main entry drive and two smaller side driveways which serve as exit only for best circulation through the parking area. All new parking and paving areas must meet the City's 50% shading requirements. A detailed hardscape plan with water features, special paving, and shade structures is proposed to enhance the project site. A landscaping plan, indicating proposed plant materials, has been provided for review by staff and the Board. Staff and the Board's landscape architect must review any changes to the proposed plan.

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JUNE 21, 2006

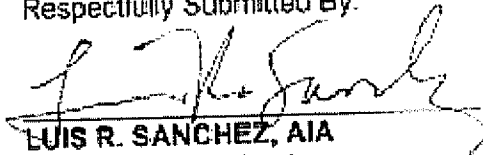
4. **Fences / Walls:** The applicant will coordinate with City staff on any fencing along Garden highway. Any fencing shall complement the project design.
5. **Site Lighting:** Exterior lighting style and design should be compatible and consistent with the building design, and the site should be adequately illuminated for safety and security with a minimum 1.0 foot candle throughout. Parking areas should have complementary lighting, with maximum height of light poles not to exceed 14 feet in height. Appropriate lighting should light up wall surfaces, paved areas and landscape areas without throwing light towards neighboring properties.
6. **Mechanical / site equipment:** Any roof mounted or ground mounted mechanical equipment should be screened behind parapet walls or decorative screens per the Board's guidelines. Any mechanical or site equipment must be adequately screened with a design that is integral to the project, and per the Board's guidelines. Backflow prevention devices, SMUD boxes, etc., should also be placed where not visible from street views, and screened from any pedestrian view. Such screens should be of a character consistent with that of the overall project. A roof plan showing equipment heights and locations, along with a site line section, should be provided for staff review and approval.
7. **Trash Enclosures:** Any required or proposed trash enclosures for the site are to be located where least visible from pedestrian and street views. The trash enclosures shall match the project's materials and colors board, and be attractively screened from view by landscaped elements. Staff recommends that final trash enclosure plans be submitted to staff for review and approval.
8. **Bicycle Parking and Storage:** Bicycle parking shall be provided per City requirements.
- B. **Building Design**
9. **Massing/Rhythm and Height:** The scale of the structure is broken down by use of the step-back design and also by breaking the elevations into a series of smaller parts. The towers act as landmarks, with translucent panels creating interest at each end. Although not matching the architectural style of the condos built earlier, the new buildings complement the height and massing of the adjacent previous buildings. The more contemporary take on the earlier buildings provides a fresh look to the riverfront. The height of the structures is 37'-0".
10. **Materials / details:** The applicant has provided color and materials information for review by staff and Board. The materials include smooth plaster finish, corrugated metal siding, Kalwall, weathered wood siding, and metal roof. Colors will be shades of soft greens. Staff is pleased with the materials and the colors, and believes that the buildings will enhance the surrounding neighborhood.
11. **Exterior Lighting:** Decorative exterior lighting is encouraged to complement the building and site design, and should be illustrated on final plans for staff review. See Item 5 Site Lighting above.

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JUNE 21, 2006

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Respectfully Submitted By:



**LUIS R. SANCHEZ, AIA**  
Design Review Director

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## Exhibit C Mitigation Negative Declaration



DEVELOPMENT SERVICES  
DEPARTMENT

CITY OF SACRAMENTO  
CALIFORNIA

NORTH PERMIT CENTER  
2101 ARENA BLVD 2<sup>nd</sup>  
FLOOR  
SACRAMENTO CA 95834

ENVIRONMENTAL PLANNING  
SERVICES

916-808-2762  
FAX 916-566-3968

**MITIGATED NEGATIVE DECLARATION**  
(Revised June 22, 2006)

The City of Sacramento, California, a municipal corporation, does hereby prepare, make declare, and publish this Negative Declaration for the following described project:

**River Landing Project (Z04-270)** - The Proposed Project consists of a 1.84-acre project site located on the south side of Garden Highway on the north bank of the Sacramento River, west of the Gateway Oaks Drive and Garden Highway intersection in the South Natomas region of the City of Sacramento. The Proposed Project includes development of 12 condominium units. The units would be attached in clusters of three for a total of four buildings. Each cluster would be separated by walkways and landscaping. Landscaping and surface parking would buffer the development from Garden Highway. The buildings would be constructed on a decking structure allowing the existing surface parking to remain above the decking structure. Each unit would also have a two-car garage. Exterior materials would include reclaimed wood siding, corrugated metal roofing, stucco, and horizontal metal siding. The southern elevation would include large windows facing the river.

*Errata: The project has been revised to reflect the modifications in the project description for the design of the proposed project to include low-glare window glazing, as requested by the Design Review and Preservation Board. The Aesthetics Section of the document has been revised to include this discussion. In addition, the Utilities Section mitigation measure #3 has been clarified to describe the timing for the mitigation measure.*

The City of Sacramento, Development Services Department, has reviewed the proposed project and on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

A copy of this document and all supportive documentation may be reviewed or obtained at the North Natomas Permit Center, 2101 Arena Boulevard, Second Floor, Sacramento, California 95834, between 7:30 AM and 3:30 PM (except holidays).

Environmental Services Manager, City of Sacramento,  
California, a municipal corporation

By:

*[Signature]* 6/22/06

## **MITIGATION MONITORING PLAN**

**FOR:**  
RIVER LANDING PROJECT. (Z04-270)

**PREPARED BY:**  
CITY OF SACRAMENTO  
DEVELOPMENT SERVICES DEPARTMENT

**TYPE OF ENVIRONMENTAL DOCUMENT:**  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

**DATE:**  
JUNE 22, 2006

**ADOPTED BY:**  
CITY OF SACRAMENTO, PLANNING COMMISSION

**DATE:**  
AUGUST 24, 2006

**ATTEST:**

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## **RIVER LANDING PROJECT (Z04-270) MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Second Floor, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

### **SECTION 1: PROJECT IDENTIFICATION**

**Project Name/File Number:** River Landing Project. (Z04-270)

**Owner/Developer:** Steve Cruz  
Sycamore Homes  
2020 Hurley Way, Suite 485  
Sacramento, CA 95825  
(916) 925-7559

**Project Location:**

The proposed project site consists of a 1.84-acre site located in the River Front District of South Natomas. The site is on the south side of Garden Highway on the north bank of the Sacramento River, west of the Gateway Oaks Drive and Garden Highway intersection. The site is identified as Assessor's Parcel Number (APN) 274-0320-035.

**Project Description:**

The current applicant proposes to develop residential uses on a 1.84-acre site in South Natomas. The project would include the development of 12 units attached in clusters of three in four buildings. The site was originally approved in 1983 as part of an 18-unit condominium project on 1.92 acres, six of which have been built to date. The Proposed Project would construct the remaining 12 units.

### **SECTION 2: GENERAL INFORMATION**

The MMP includes mitigation for Seismicity, Soils, and Geology, Water, Air Quality, Biological Resources, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

# RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p><b>Seismicity, Soils, and Geology:</b></p> <p>1. The developer shall grade the site such that new topography makes a smooth transition to existing adjacent topography and matches existing adjacent cover. Grading techniques which control excessive run-off and erosion during construction shall be implemented. These techniques shall be incorporated into final design to limit future erosion and run-off for the completed project.</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>a) Grading to ensure a smooth transition to existing topography and existing adjacent cover.</p> <p>b) Incorporate Best Management Practices (BMPs) during grading and final project design.</p>	<p>a) During grading activities</p> <p>b) During grading activities and final project design</p>	
<p><b>Water:</b></p> <p>1. The project applicant shall provide design plans for approval by the City of Sacramento Utilities Department that would prevent runoff from Garden Highway to enter the Proposed Project stormwater improvements.</p> <p>2. The City shall not approve the Proposed Project until such time as the applicant can demonstrate that runoff from Garden Highway during flood conditions (i.e., 100-year storm event) would not enter the project's stormwater improvements. The project applicant shall provide design plans for approval by the City of Sacramento Utilities Department that can demonstrate that runoff from Garden Highway during flood conditions (i.e., 100-year storm event) would not enter the project's stormwater improvements.</p>	Project Applicant	City of Sacramento Utilities Department	<p>Provide design plans to the City that would prevent Garden Highway runoff from entering the project's stormwater improvements.</p> <p>Demonstrate that runoff from Garden Highway during flood conditions would not enter the project's stormwater improvements.</p>	<p>Prior to grading</p> <p>Prior to project approval</p>	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<b>Air Quality:</b> 1. Water exposed soils twice daily to control wind borne dust. 2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris. 3. At a minimum of three times per week, remove from all neighborhood streets, all dirt and mud which has been generated from or deposited by construction equipment going to and from the construction site. 4. Construction activities shall comply with SMAQMD rule 403 on dust and condensed fumes, so that emissions do not exceed hourly levels as regulated per processing weight. 5. Construction equipment shall be reduced-emission heavy-duty equipment for all diesel-powered off road construction activities. This equipment should be used for clearing, grading, and other earthmoving operations to minimize exhaust emissions and odors and increase fuel efficiency. 6. Equipment idling shall be kept to a minimum when equipment is not in use. No piece of equipment shall be left to idle in one place for more than 30 minutes.	Project Applicant/ Developer	City of Sacramento Building Division/ City of Sacramento Building Inspector	a) Verify that all construction bid documents and contracts include construction practices recommended by the SMAQMD. b) Perform periodic field inspections during construction activities to ensure all the requirements are being followed.	a) Prior to issuance of a grading permit or building permit. b) During construction activities.	



## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>7. On-site construction vehicle speed shall be limited to 15 miles per hour on unpaved surfaces.</p> <p>8. The loads on all haul/dump trucks shall be covered securely or at least two feet of freeboard shall be maintained on trucks hauling loads.</p> <p>9. Compliant asphalt materials shall be used (Rule 435).</p> <p>10. Reduced-emission heavy-duty equipment for all diesel powered off-road construction activities shall be utilized. This equipment should be used for clearing, grading, and other earthmoving operations.</p>					
<p><b>Biological Resources:</b></p> <p>1. Construction of the outfall structure in the Sacramento River bank shall be confined to the period between July 1 and September 15. This in-river construction window represents the common / overlap period of allowable construction windows for Chinook salmon and Central Valley steelhead.</p> <p>2. The project applicant shall retain a qualified biologist to monitor construction activities along the bank stabilization project site to ensure that no western pond turtles are injured or killed during construction of the Proposed Project. Any turtles found in or near the construction zone that could potentially</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Construct the outfall structure between July 1 and September 15.</p> <p>Retain a qualified biologist to monitor construction activities along the bank stabilization project to ensure</p>	<p>During the project construction</p> <p>During construction activities along bank stabilization project site</p>	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>be injured or killed as a result of construction activities should be relocated to an appropriate location (i.e., an area of suitable habitat) that is a minimum of 100 feet downstream of the construction zone.</p> <p>3. To prevent direct impacts on nesting birds, tree removal shall occur between September 16 and February 28, outside of the nesting season</p> <p>4. If construction activities occur during the breeding season (approximately March 1 through September 15), the project applicant, in consultation with the CDFG and USFWS, shall conduct a pre-construction, breeding season survey of the project site during the same calendar year that construction is planned to begin. The survey shall be conducted by a qualified avian biologist to determine if any birds are nesting on or directly adjacent to the project site.</p> <ul style="list-style-type: none"> <li>If phased construction procedures are planned for the Proposed Project, the results of the above survey shall be valid only for the season when it is conducted.</li> <li>A report shall be submitted to the project applicant and the City of Sacramento, following the completion of the nesting survey that includes, at a minimum, the following information:</li> </ul>			<p>no western pond turtles are killed.</p> <p>Verify schedule of any tree removal or demolition; if within the nesting season demonstrate retention of a qualified avian biologist to conduct appropriate nesting surveys and to consult with CDFG and USFWS if active nests are within the project area; obtain permits if nests cannot be avoided.</p>	<p>Prior to tree removal; if construction activities occur during breeding season (approximately March 1 through September 15), the project applicant shall take action prior to the commencement of construction activities</p>	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>a. A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited, and persons contacted.</p> <p>b. A map showing the location(s) of any nests observed within the project site.</p> <p>5. If the above survey does not identify any nesting bird species on the project site, no further mitigation would be required. However, should any active bird nests be found on or within close proximity to the project site, one of the following mitigation measures shall be implemented:</p> <ul style="list-style-type: none"> <li>The project applicant, in consultation with CDFG and USFWS, shall avoid all active nest sites within the project area while the nest is occupied with adults and/or young. The occupied nest shall be monitored by a qualified avian biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a non-disturbance buffer zone, to be determined in consultation with CDFG, around the nest site, which will be delineated by highly visible temporary construction fencing.</li> <li>Active nest trees that would not be removed but are in close proximity to construction activities shall be</li> </ul>			<p>If survey identifies nesting birds in the trees, all active nest sites shall be avoided and monitored by a qualified avian biologist. A buffer zone shall be created around the nest site.</p>	Prior to grading	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>monitored weekly to determine if construction activities are disturbing the adult or young birds, until the birds have left the nest.</p> <p>6. If an active nest site cannot be avoided and would be destroyed, special permits would be required, depending on the bird species.</p> <ul style="list-style-type: none"> <li>For a State-listed bird (i.e., Swainson's hawk), the project applicant shall obtain a Section 2081 permit. Standard mitigation for the loss of an active nest tree generally requires planting 15 trees (a mix of cottonwood, sycamore and valley oaks) and monitoring the success of the trees for five years with a 55% success rate. Locating these trees would likely not be feasible so an alternative approach could be to participate in mitigation deemed appropriate by the CDFG.</li> <li>For any bird covered by the Migratory Bird Treaty Act, the project applicant would consult with the USFWS to determine appropriate mitigation measures.</li> </ul> <p>7. The project applicant shall obtain all appropriate permits prior to construction of the project, including a Section 404 Wetlands Fill Permit from the Corps, a Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board, and a Streambed</p>			<p>If an active nest site cannot be avoided, permits would be required from either CDFG or USFWS.</p> <p>Obtain all appropriate permits.</p>	Prior to grading	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Alteration Agreement (SBAA) from CDFG.</p> <p>8. All construction materials placed within the ordinary high water mark shall conform to the following guidelines:</p> <ul style="list-style-type: none"> <li>Any fill material, including rip-rap for rock slope protection imported from off-site, shall be clean fill.</li> <li>No petroleum-based products such as asphalt shall be used.</li> <li>Concrete, if used, shall be free of trash and rebar.</li> <li>Soil anchoring and stabilizing fabrics, if used, shall be slit in appropriate locations to allow for plant growth.</li> <li>No culverts or other impediments shall be placed in the river in such a way as to impede movement of fish in either the upstream or downstream direction.</li> <li>The project shall comply with the City of Sacramento Code, Ordinance 15.88.250, Erosion and Sediment Control and further, the City shall employ Best Management Practices (BMPs) before, during, and after construction.</li> <li>After construction, the cleared areas shall be revegetated with native grass and herb species; no nonnative seed shall be used. The type of seed used shall be commercially available native grass and herb species (e.g., including but not limited to, <i>Bromus carinatus</i>, <i>Elymus glaucus</i>, <i>Poa secunda</i>, <i>Scirpus californicus</i>, <i>Scirpus</i></li> </ul>			<p>All construction materials placed within the ordinary high water mark shall conform to the guidelines set forth in the mitigation.</p>		

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>attenuata, and/or Carex sp.).</p> <p><b>Cultural Resources:</b></p> <p>1. The following protocol and procedures for encountering archaeological resources shall be incorporated into the grading and construction contracts to address the potential to encounter currently unknown cultural resources:</p> <p>a. If potential archaeological resources are discovered during construction, all work in the immediate vicinity shall be suspended and alteration of the materials and their context shall be avoided pending site investigation by a qualified archaeological or cultural resources consultant retained by the project sponsor. The immediate vicinity wherein work shall be suspended within shall be approximately 50 feet from the discovery or within an appropriate distance to be determined by the retained archaeologist or consultant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of and/or mitigation of adverse impacts to any potential historical resources or unique archaeological</p>	Project Applicant/ Developer	City of Sacramento Development Services Department	<p>Incorporate the protocol and procedures into grading and construction contracts.</p> <p>If any cultural resources are discovered:</p> <p>a) Cease all work in the immediate area</p> <p>b) Retain a qualified archaeologist or cultural resources consultant to perform a site investigation and take appropriate action.</p>	<p>During grading and construction contract agreements</p> <p>During construction activities</p>	

## RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>resources that have been encountered. These mitigation measures shall be reviewed by the City prior to implementation.</p> <p>b. If the find is determined to be an archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in detailed technical reports. Such reports shall be submitted to the appropriate California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed and approved by the City.</p> <p>c. The project sponsor shall assure that project personnel are informed that collecting significant archaeological resources discovered during development of the project is prohibited by law. Prehistoric or</p>					

# RIVER LANDING PROJECT (Z04-270) Mitigation Monitoring Plan

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Native American resources can include chert or obsidian flakes, projectile points or other flaked-stone tools, mortars, pestles, and other ground-stone tools; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials.					