

City Planning Commission
Sacramento, California

Subject: Special Permit Modification for 830 L Street (P87-456)

Members in Session:

Summary: On March 10, 1988, the City Planning Commission approved the major project Special Permit for a 14 story, 172,896 sq. ft. office building with parking for 151 vehicles. The applicant has requested a modification of the special permit to increase the building's height from 14 to 18 stories. The applicant desires this modification due to problems anticipated with the high water table on-site and three underground parking levels. Staff has reviewed the request and is recommending approval subject to mitigation measures and conditions of approval.

Background: The Planning Commission approved the project as a consent item on March 10, 1988. Because of the high water table on-site, the applicant requesting one, rather than three, underground levels and 18, rather than 14, above ground levels. The attached staff report provides a description of the project as it was approved on March 10, 1988. Following is a description of both, the approved 14 story project, and the proposed 18 story project.

Project Description: Differences between the approved 14 story project, and the 18 story project proposed at this time are defined in the following table:

<u>Approved 14 Story Project</u>	<u>Proposed 18 Story Project</u>
172,896 gross sq. ft.	217,600 gross sq. ft.
157,000+ sq. ft. office	154,000+ sq. ft. office
4,000+ sq. ft. ground floor retail	4,000+ sq. ft. retail
228 required spaces	224 required spaces
151 parking spaces	178 parking spaces
14 total stories	18 total stories
14 14 above ground stories	18 17 above ground stories
3 below ground stories	1 below ground stories

The proposed project is essentially the same as the approved project. The primary differences are that the proposed building will be higher (from 14 stories and 220 feet high to 18 stories and 259 feet high). There will also be 27 added parking spaces, from 151 to 178 spaces. Because of a small reduction of office space the required parking will drop from 228 spaces to 224 spaces.

The special permit to allow attendant parking; and, the variance to encroach in the public right-of-way to construct a subterranean parking garage would expire in March 1990 unless construction

begins. In order for the applicant to have adequate time to meet all the conditions of approval that are required prior to issuance of the building permit, the applicant requests that the expiration dates for the attendant parking special permit and the variance be extended to March 1991.

Traffic Analysis: Since the project has been revised, the applicant was requested to provide a traffic analysis. The analysis evaluates the interior and exterior circulation system for the project. Traffic Engineering has reviewed the analysis and recommends approval of the garage ramping, entrances and exists as identified in the attached floor plans and elevations.

Parking Reduction/TSM: The Zoning Ordinance requires parking at a ratio of one space for every 600 sq. ft. of office space, or 224 spaces in this case. A Special Permit was approved for the original project to allow the applicant to provide 151 spaces (a reduction of 34%). Because there is more space available in the redesigned parking area of the project, 178 spaces can be provided for a reduction of 20.5% (46 spaces).

The parking reduction in-lieu measures are required to reduce parking below the required parking level in the Central Business District. A 60% maximum reduction is possible under the ordinance. The applicant is requesting a 20.5% reduction.

Traffic Engineering, Planning and Regional Transit staff have worked extensively with the applicant to develop parking reduction measures and credits for this project. Those measures and credits are summarized below.

<u>Measure</u>	<u>Parking reduction credit</u>
18 Carpool/Vanpool spaces	11 spaces
4 Showers and 40 lockers	11 spaces
Transit Operating Subsidy (\$48,000)	8 spaces
Transit Shelter (\$30,000)	5 spaces
Transportation Coordinator	<u>11 spaces</u>
	46 Total spaces

With these measures staff supports the special permit request to reduce the required parking by 46 spaces, or 20.5%.

In addition to these measures, the applicant will be required to meet the requirements of the TSM Ordinance prior to issuance of the building permit.

The applicant will be required to provide TSM measures to compensate for the 20.5% parking space reduction. They will also

be required to develop a TSM program with a goal to reduce single occupant vehicle trips by 35%. With the parking reduction measures, the total TSM commitment for the project will be to reduce single occupant vehicle trips by 55.5%.

Extension of time for Attendant Parking and Variance: The approved project included a special permit to allow attendant parking and a variance to encroach in the public right-of-way. The variance has a one year term and the Special Permit has a two year term before they expire. The variance was extended in March 1989 for one year, to March 1990. At this time, both entitlements are still in effect until March 1990. A one year extension of time is requested for both the special permit to allow attendant parking and a variance to encroach in the public right-of-way to construct a subterranean parking garage. Upon approval they would be in effect until March 10, 1991.

Design Review Board Review: The Design Review/Preservation Board reviewed the approved 14 story project in March 1989. The Board adopted conditions of approval to be met prior to issuance of the building permit. Those conditions are as follows.

1. Enhancement of the building base which enriches the pedestrian experience. This could be achieved through fine grained detailing and embellishments to the stone surface area, columns and entryway. Three dimensional detailing and/or integral art work is highly encouraged. Use of decorative architectural elements such as quality light fixtures, durable and quality door metal hardware, frames and glass, durable awning system or equivalent type of pedestrian protection design feature, decorative sidewalk pavers, architecturally interesting planters and street-tree grill work should also be considered.
- (Delete per DR/PB) 2. Minimize the bulk and monolithic appearance of the main tower by change in surface texture or color of the stone/precast concrete panels. One suggestion is a combination of polished and flame-cut (rough) granite panels on the vertical and/or horizontal elements of the building rather than using one type of texture and materials.
3. An open metal grill pull down door is recommended in the L Street entrance to the parking facility. The interior area of the garage entry visible from the sidewalk shall be finished and painted to match the color of the building exterior; pull down doors facing the alley may be solid rather than open grillwork but should be painted to complement the color of the building.

- (Delete per DR/PB)
4. Materials and design treatment used on the 9th and L Street facades should also be used on the alley facing facade.
 5. The exterior facade of the elevator tower on the west elevation should be enhanced through a change in surface texture and/or color as suggested in subparagraph 2 above.
 6. A rooftop plan shall be submitted. All rooftop mechanical equipment shall be located within a penthouse structure or screened.
 7. A detailed exterior lighting plan shall be developed which provides for lighting of building perimeter and security lighting of alley.
 8. Storefront windows shall be clear glass with a minimum visible transmittance percentage of 78 percent.
 9. Concealed hose bibs shall be provided along building base and alley to facilitate maintenance.
 10. Detailed signage program to be developed for building prior to issuance of any sign permits.
 11. Applicant shall consider smaller balconies on the top floor.
 12. Applicant shall consider engaging an artist to develop an artistic approach to enhance the building's base.
 13. Drainage for terrace planters shall be incorporated into the project.
 14. Planters, rather than pots, shall be provided along the building's base upon approval by the Commission.
 15. The applicant is required to return to the Design Review Board for review of the revised project and to address the comments from their previous meeting (listed above). Large scale drawings (1/4 to 1/8th scale) addressing staff and Board recommendations are to be provided with materials and colors indicated. A materials board shall also be provided prior to the Design Review Board meeting.

Environmental Review: The Environmental Coordinator determined that the proposed project could potentially have significant impacts on the environment in the vicinity of the project. Based on the analysis and findings conducted for the approved and proposed projects, the potential impacts were found to be

mitigatable to less than significant level. Therefore, negative declarations have been prepared for both the approved and proposed projects.

In compliance with Section 15070(B)1 of the CEQA Guidelines, the applicant incorporated three new conditions (17, 18, and 20) to the previously approved measures to mitigate such effects to a level of insignificance.

Mitigation Measures

1. The applicant shall provide a geo-technical report prepared by a recognized professional engineering geologist or firm to the satisfaction of the City Building Official prior to issuance of a building permit.
2. The applicant shall conform to the requirements of the Uniform Building Code and all other State and local regulations governing excavations, foundation and structural design and construction.
3. Dust control measures required by the APCD should be implemented during construction. Such measures include maintaining soil moisture as well as removing any soil spillage onto traveled roadways through site housekeeping procedures.
4. Reducing interference between project traffic and existing traffic and preventing truck queuing around occupied receptors should be included as part of the project construction permit. The permit should also limit construction operation to daytime periods of optimum dispersion in order to minimize localized pollution accumulation.
5. Prior to the issuance of a building permit, the applicant shall provide an air quality study of the parking garage to the satisfaction of the California Air Resources Board. The applicant shall provide a letter from ARB concurring with the results of the study. The applicant shall ensure that the parking facility ventilation rates be designed to comply with CAL-OSHA requirements to prevent facility employees from being exposed to unacceptable levels of air pollution.
6. The applicant shall comply with the conditions of the City's TSM (Trip Reduction) Ordinance in effect at the time of application for a Building Permit. Additionally, the applicant shall provide for an annual monitoring program as part of the submitted Transportation Management Plan to the

satisfaction of the City TSM Coordinator prior to issuance of the final building permit; if such a monitoring program is not required in the then-adopted TSM Ordinance.

7. The applicant shall provide an acoustical report prepared by a recognized, professional person or firm in compliance with the General Plan Noise Element, to the satisfaction of the Environmental Coordinator prior to the issuance of a building permit. Such report shall discuss the impacts of noise generated from within the on-site parking garage in addition to that generated by traffic on adjacent streets. Additionally, the applicant shall set forth a construction noise mitigation program in the above required acoustic report.
8. The applicant shall use glass of low reflection to reduce potential glare effects, to the extent compatible with the Urban Design Plan.
9. The applicant shall comply with all parking reduction measures submitted in compliance with Section 6-D-1-C of the Zoning Ordinance ~~by letter dated February 18, 1988 and attached hereto (Exhibit C of Planning Commission staff report)~~ to meet a 22% reduction of parking (which is in addition to the 35% goal of the TSM Ordinance). These measures shall be met to the satisfaction of the City Transportation Coordinator prior to issuance of the building permit.
10. The applicant shall provide an annual Parking Management Plan to the joint satisfaction of the City Traffic Engineer and Planning Director. The report shall be due on each anniversary of the final building inspection and shall document at a minimum, the effectiveness of the valet parking, including whether waiting vehicles have blocked the sidewalk and adjacent City streets and the frequency of such incidents; the availability and utilization of short-term parking on or adjacent to the project site. The Traffic Engineer or the Planning Director shall have the opportunity to request additional information deemed necessary to document the effectiveness of the Parking Management Plan.
11. The final design of the layout of the parking garage and attendant operations shall be approved by the City Traffic Engineer prior to the issuance of a building permit.
12. The applicant shall construct an emergency helicopter stop on the roof of the proposed structure to the satisfaction of the City Fire Department.
13. Prior to obtaining a building permit, the applicant shall execute a Development Agreement or other acceptable

document to the satisfaction of the Director of Public Works and the City Attorney. This agreement shall describe the maintenance responsibilities of the applicant for the sidewalk, reconstruction of the sidewalk upon removal of the building, the structural design standards to be used in construction of the sidewalk, and any other matters deemed necessary by the Public Works Director. Such agreement shall be recorded on the Deed.

14. The applicant shall comply with the City's Underground Tank Removal Ordinance. Prior to the issuance of a building permit, the applicant shall provide letters approving the proposed project from the County Environmental Health Section, City Fire Chief, and State Department of Health Services.
15. The applicant shall prepare to the satisfaction of the Design Review and Historic Preservation Director, an archival records search documenting prior uses of the project site. This report shall be provided prior to the issuance of a building permit.
16. The soil boring samples obtained in satisfaction of mitigation measure 1 above shall be examined by a recognized archaeological consultant or firm to determine if any habitation or historical materials are present on-site. If the soil bores reveal the existence of such materials, or if subsurface archaeological or historical remains (including unusual amounts of bone, stones, or shells) are discovered during development or construction of the project, work in the area shall stop immediately and a qualified archaeologist and is a representative of the Native American Heritage Commission shall be Consulted to develop, if necessary, further mitigation measures including, but not limited to, a more detailed site survey by a qualified archaeologist to reduce any impact to cultural resources to a less than significant level before construction continues.
17. Submit a dewatering plan prepared by a qualified structural engineer which adequately addresses problem created by the existing water table in the area with building plans. This plan shall be reviewed and approved by qualified member of the City Engineer's staff prior to issuance of building permits.
18. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed

and approved (anticipated for December, 1989*).

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

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

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

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

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

Staff Recommendation: Staff recommends the following actions subject to the identified conditions of approval and findings of fact listed below.

- A. Ratify the negative declaration
- B. Approve the Special Permit Modification to increase the approved building height from 14 stories (220') to 18

stories (259').

- C. Approve the Special Permit to decrease required parking from 224 spaces to 178 spaces (20.5% reduction).
- D. Approve a one year extension of time for the Special Permit to allow attendant parking to March 10, 1991.
- E. Approve a one year extension of time for a variance to encroach in the public right-of-way to construct a subterranean parking garage to March 10, 1991.

Conditions of Approval: (Conditions 1 through 24 are provided as approved on March 10, 1988, except where amended in italics.)

1. ~~The project is scheduled for the March 16, 1988 Design Review/Preservation meeting. The applicant shall study the design refinements suggested by staff in Section B of the staff report and address these issues at the Design Review/Preservation Board meeting.~~ Applicant shall submit the project to the Design Review Board for their review and approval and shall meet any Design Review Board conditions of approval to the satisfaction of the Planning Director prior to the issuance of building permits.
2. A custom design decorative transit shelter shall be integrated into the design of the 9th Street ground floor elevations.
3. Detailed landscaping plans shall be reviewed and approved by staff prior to issuance of any building permit (s).
4. Applicant shall provide a warning device at alley and 9th Street to warn pedestrians when vehicles are exiting the alley and reduce conflicts with bus service. The warning device shall be subject to the review and approval of the Planning Director.
5. Parking spaces are intended for the use of occupants of the building and shall not be leased to non-occupants.
6. A sign program shall be submitted to staff for the building prior to issuance of sign permits.
7. The applicant shall provide a geo-technical report prepared by a recognized professional engineering geologist or firm to the satisfaction of the City Building Official prior to issuance of a building permit.
8. The applicant shall conform to the requirements of the Uniform Building Code and all other State and local regulations governing excavations, foundation and

structural design and construction.

9. Dust control measures required by the APCD should be implemented during construction. Such measures include maintaining soil moisture as well as removing any soil spillage on to traveled roadways through site housekeeping procedures.
10. Reducing interference between project traffic and existing traffic and preventing truck queuing around occupied receptors should be included as part of the project construction permit. The permit should also limit construction operation to daytime periods of optimum dispersion in order to minimize localized pollution accumulation.
11. Prior to the issuance of a building permit, the applicant shall provide an air quality study of the parking garage to the satisfaction of the California Air Resources Board. The applicant shall provide a letter from ARB concurring with the results of the study. The applicant shall ensure that the parking facility ventilation rates be designed to comply with CAL-OSHA requirements to prevent facility employees from being exposed to unacceptable levels of air pollution.
12. The applicant shall comply with the conditions of the City's TSM (Trip Reduction) Ordinance in effect at the time of application for a Building Permit. Additionally, the applicant shall provide for an annual monitoring program as part of the submitted Transportation Management Plan to the satisfaction of the City TSM Coordinator prior to issuance of the final building permit, if such a monitoring program is not required in the then-adopted TSM Ordinance.
13. The applicant shall provide an acoustical report prepared by a recognized, professional person or firm in compliance with the General Plan Noise Element, to the satisfaction of the Environmental Coordinator prior to the issuance of a building permit. Such report shall discuss the impacts of noise generated from within the on-site parking garage in addition to that generated by traffic on adjacent streets. Additionally, the applicant shall set forth a construction noise mitigation program in the above required acoustic report.
14. The applicant shall use low reflective glass to reduce potential glare effects, to the extent compatible with the Urban Design Plan.

15. The applicant shall comply with all parking reduction measures submitted in compliance with Section 6-D-1-C of the Zoning Ordinance ~~by letter dated February 18, 1988 and attached hereto (Exhibit C of Planning Commission staff report)~~ to meet a 20.5% reduction of parking (which is in addition to the 35% goal of the TSM Ordinance). These measures shall be met to the satisfaction of the City Transportation Coordinator prior to issuance of the building permit.
16. The applicant shall provide an annual Parking Management Plan to the joint satisfaction of the City Traffic Engineer and Planning Director. The report shall be due on each anniversary of the final building inspection and shall document at a minimum, the effectiveness of the valet parking, including whether waiting vehicles have blocked the sidewalk and adjacent City streets and the frequency of such incidents; the availability and utilization of short-term parking on or adjacent to the project site. The Traffic Engineer or the Planning Director shall have the opportunity to request additional information deemed necessary to document the effectiveness of the Parking Management Plan.
17. The final design of the layout of the parking garage and attendant operations shall be approved by the City Traffic Engineer prior to the issuance of a building permit.
18. The applicant shall construct an emergency helicopter stop on the roof of the proposed structure to the satisfaction of the City Fire Department.
19. Prior to obtaining a building permit, the applicant shall execute a Development Agreement or other acceptable document to the satisfaction of the Director of Public Works and the City Attorney. This agreement shall describe the maintenance responsibilities of the applicant for the sidewalk, reconstruction of the sidewalk upon removal of the building, the structural design standards to be used in construction of the sidewalk, and any other matters deemed necessary by the Public Works Director. Such agreement shall be recorded on the deed.
20. The applicant shall comply with the City's Underground Tank Removal Ordinance. Prior to the issuance of a building permit, the applicant shall provide letters approving the proposed project from the County Environmental Health Section, City Fire Chief, and State Department of Health Services.
21. The applicant shall prepare to the satisfaction of the

Design Review and Historic Preservation Director, an archival records search documenting prior use of the project site. This report shall be provided prior to the issuance of a building permit.

22. The soil boring samples obtained in satisfaction of mitigation measure 1 above (geo-technical report) shall be examined by a recognized archaeological consultant or firm to determine if any habitation or historical material are present on-site. If the soil bores reveal the existence of such materials, or if subsurface archaeological or historical remains (including unusual amounts of bone, stones, or shells) are discovered during development or construction of the project, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures including, but not limited to, a more detailed site survey by a qualified archaeologist to reduce any impact to cultural resources to a less than significant level before construction continues.
23. Construction activities are to be coordinated to the satisfaction of Regional Transit prior to issuance of building permit to minimize interfere with bus service at the 9th and L Street bus stop.
24. The applicant/owner shall provide a plan and agreement which addresses location, capacity, fundraising mechanism, and implementation schedule for child care facilities to the satisfaction of the City's Child Care Coordinator and Planning Director prior to issuance of final building permit. This child care plan shall consider provision for infant-toddler care, in addition to pre-school age care and before/after school care as deemed appropriate for the occupants of the building.
25. Applicant shall provide a detailed parking layout plan and parking reduction plan that is consistent with all City codes and regulations. Plans shall be subject to the review and approval by the Director of Public Works and Planning Director prior to issuance of a building permit.
26. All necessary improvements in the public right-of-way shall be coordinated with the redevelopment agency staff to further the goal of Downtown Streetscape and ?

Findings of Fact - Special Permit and Variance

1. The project, as conditioned, is based upon sound principles of land use in that the proposed 217,600± sq. ft. office building will be compatible with surrounding office and commercial land uses.
2. The project, as conditioned, will not be detrimental to the public health, safety or welfare nor result in the creation

of a nuisance in that adequate parking and parking reduction measures, quality building design and materials will be provided.

3. The variance request is not a special privilege extended to one property owner in that:
 - a) The proposed encroachment allows the relatively small site to be utilized to its fullest potential; and
 - b) This variance may be granted to any other property owner facing similar circumstances.
4. This variance is not considered a use variance in that parking facilities are permitted in the C-3 zone.
5. The project is consistent with the General Plan and 1980 Central City Community Plan and 1987 Urban Design Plan which designates the site for commercial/office use.

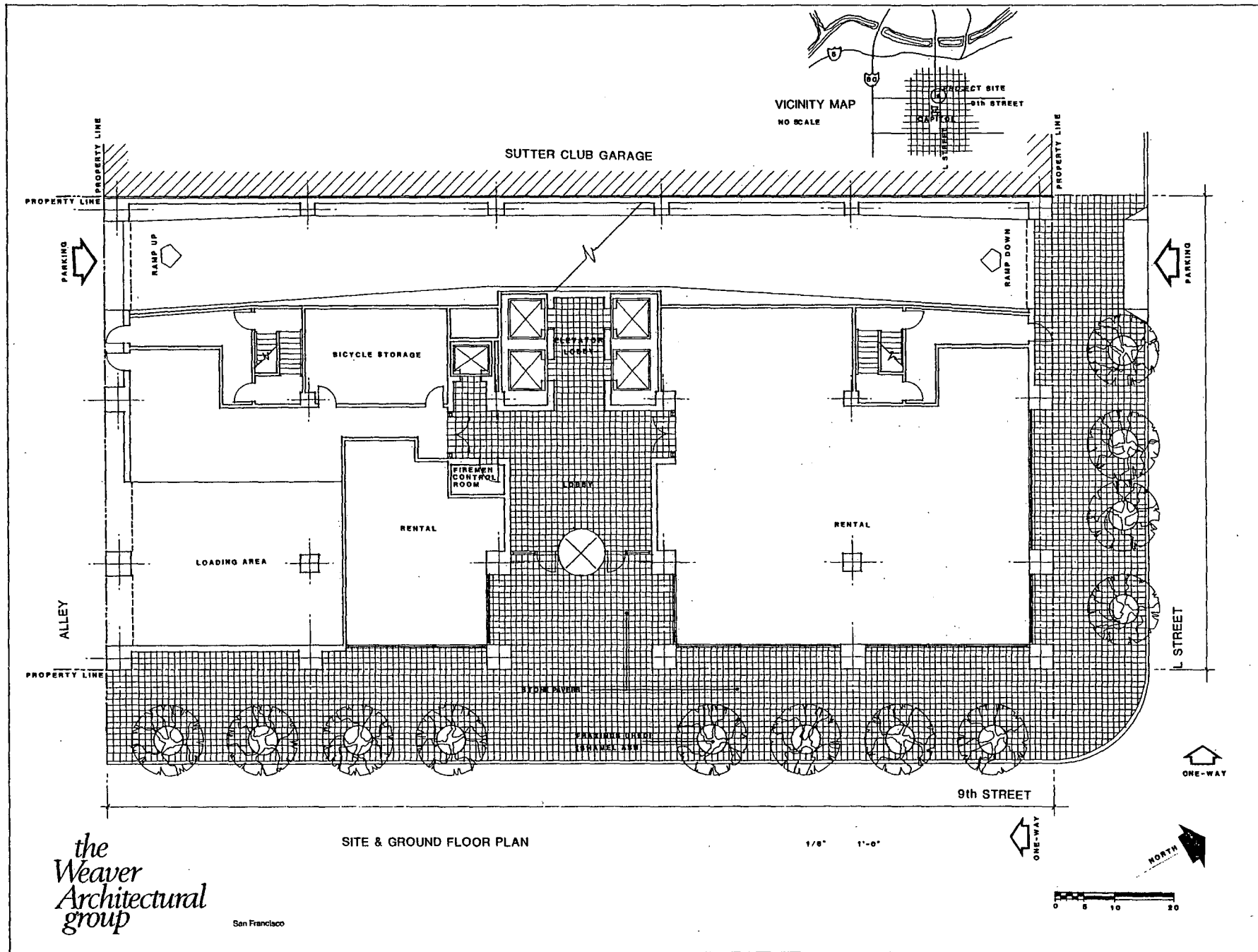


EXHIBIT B

CAPITOL PARK WEST
SACRAMENTO CALIFORNIA

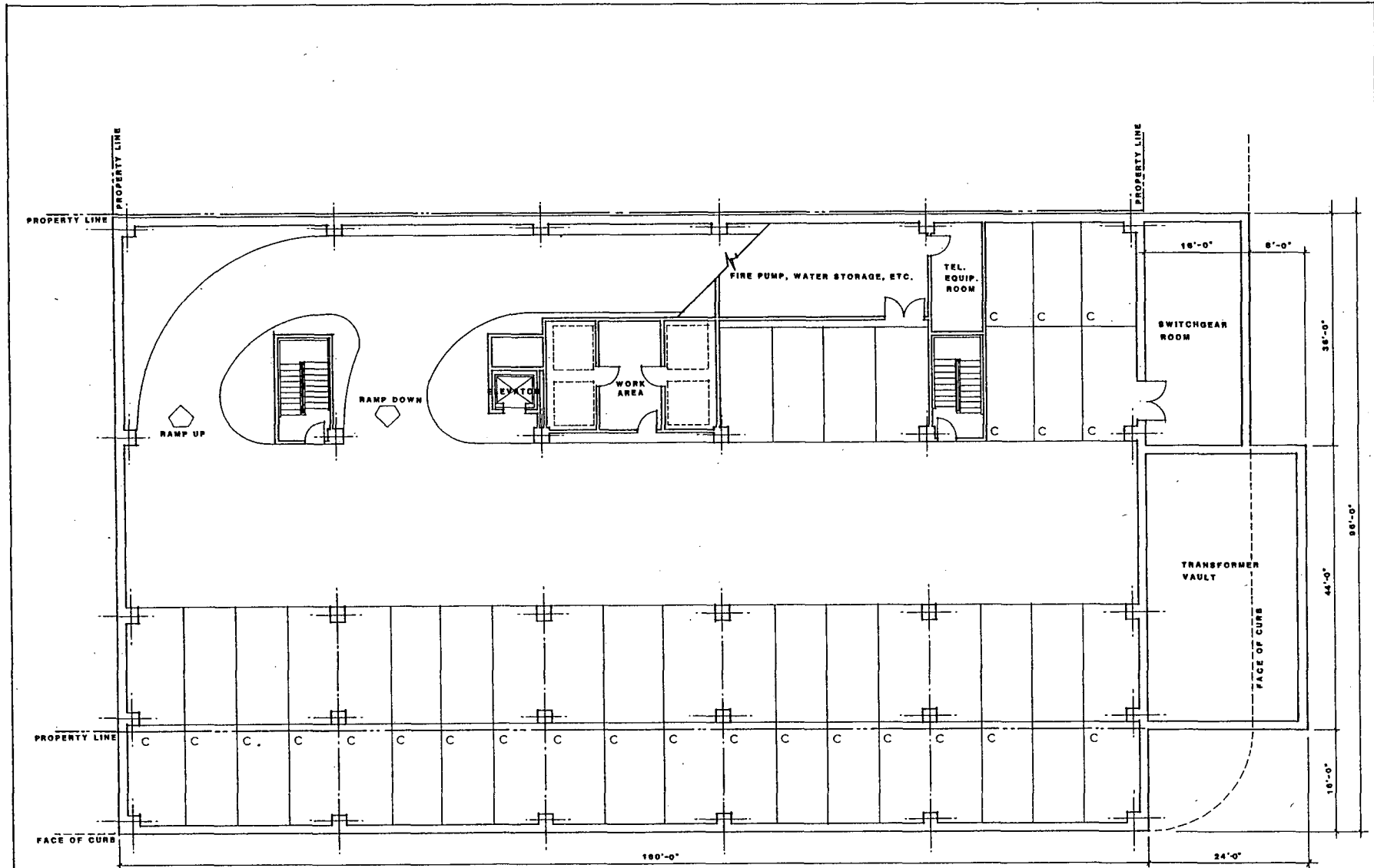
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December 14, 1989

P87-456



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BASEMENT PLAN

48 PARKING STALLS
23 STANDARD
25 COMPACT

1/8" 1'-0"



CAPITOL PARK WEST
CALIFORNIA
SACRAMENTO

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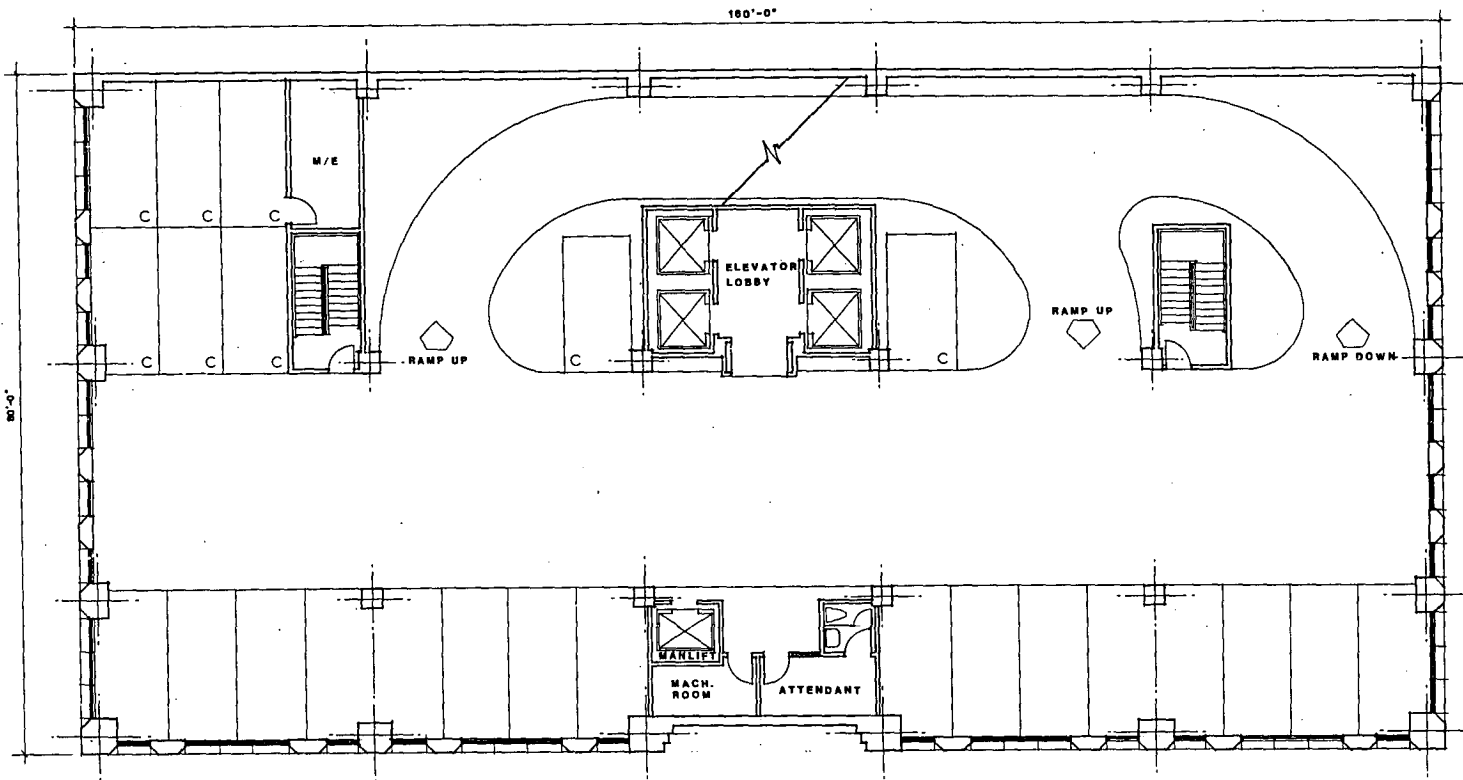
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SECOND FLOOR PLAN

24 PARKING STALLS
 16 STANDARD
 8 COMPACT

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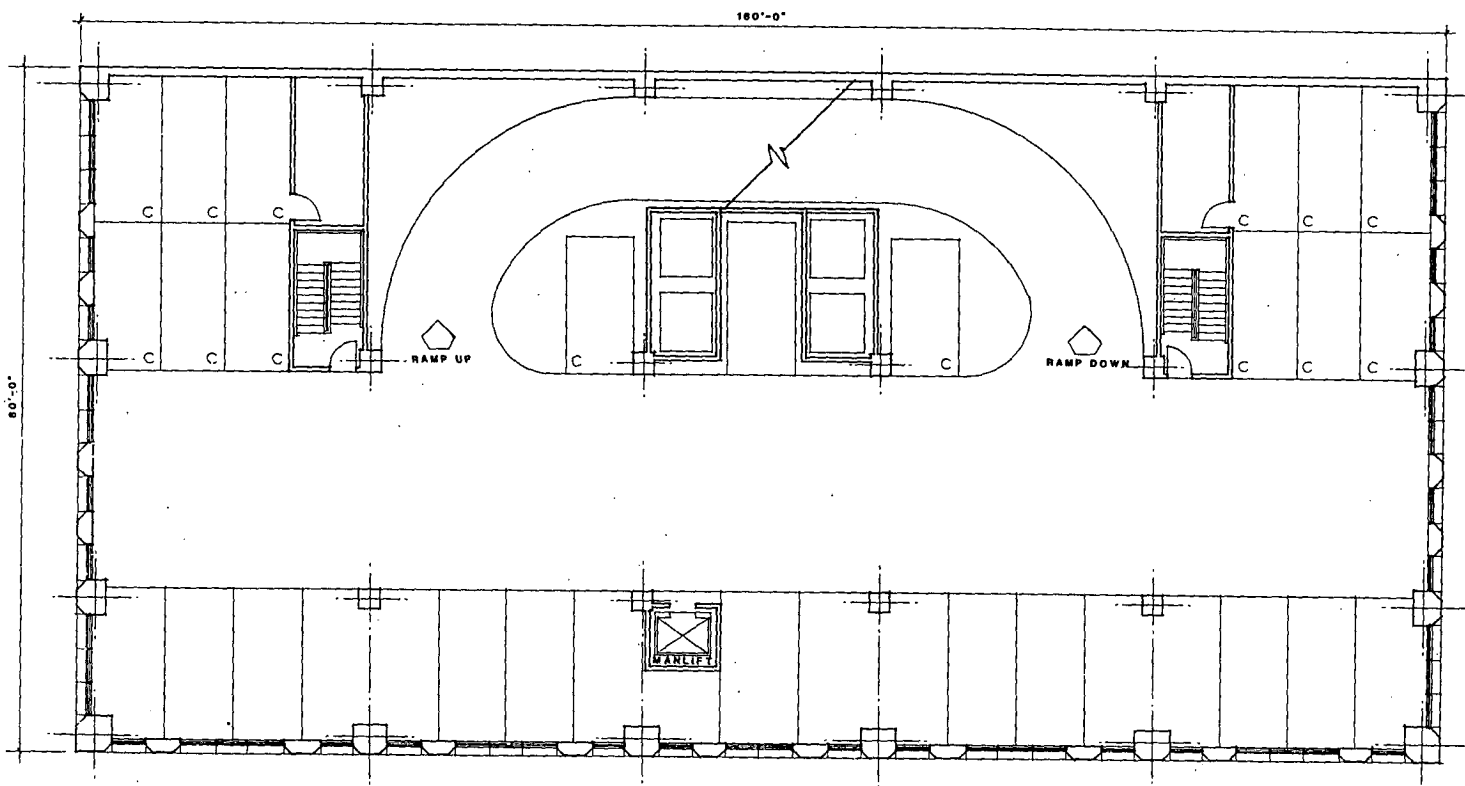
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CAPITOL PARK WEST
 CALIFORNIA
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THIRD THRU FOURTH FLOOR PLAN

33 PARKING SPACES
 19 STANDARD
 14 COMPACT

1/8" 1'-0"



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CAPITOL PARK WEST
 SACRAMENTO CALIFORNIA

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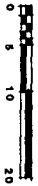
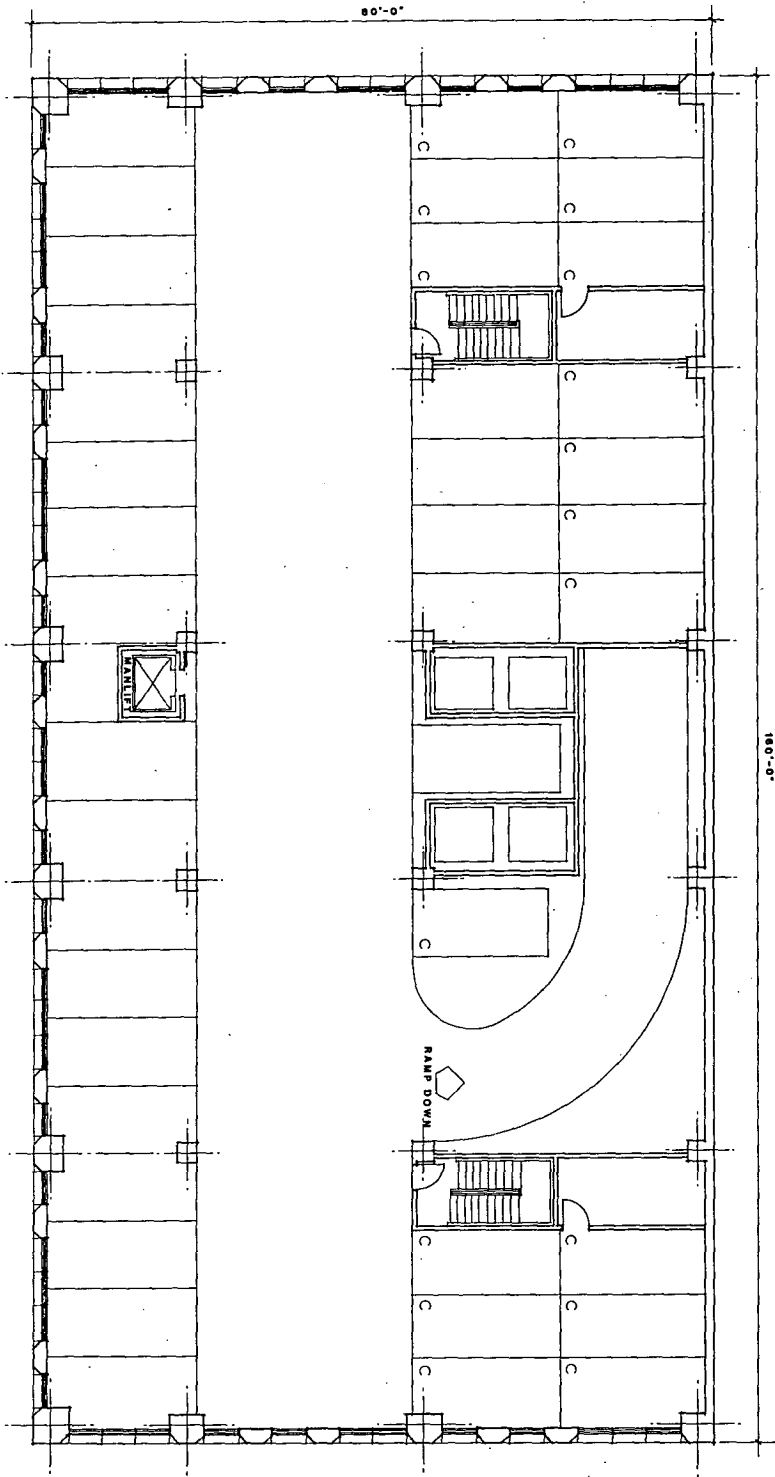
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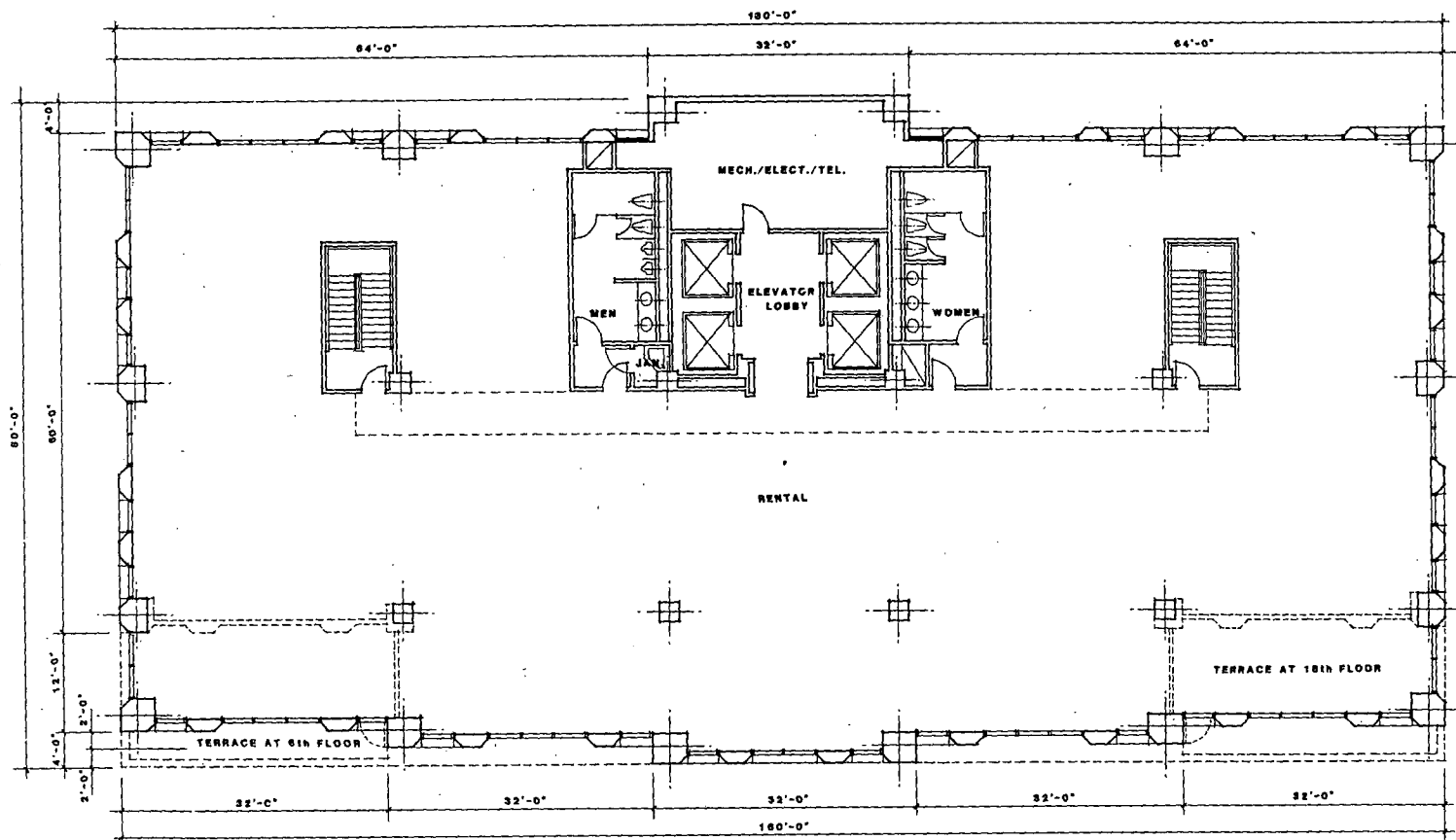
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FIFTH FLOOR PLAN
40 PARKING STALLS
23 STANDARD
17 COMPACT



CAPITOL PARK WEST
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SIXTH THRU EIGHTEENTH FLOOR PLAN

1/8" 1'-0"

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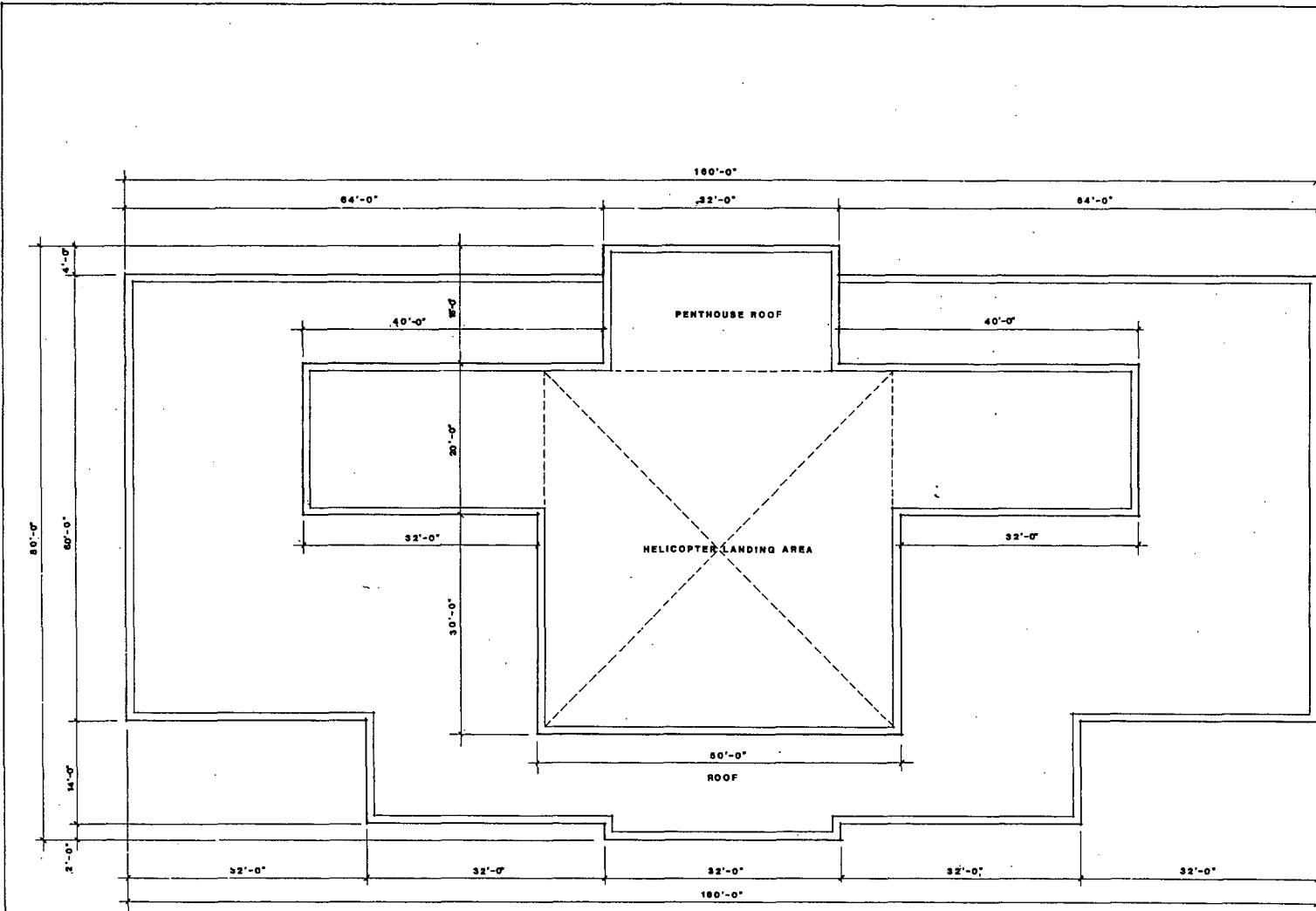


CAPITOL PARK WEST
SACRAMENTO CALIFORNIA

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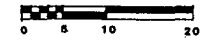


ROOF PLAN

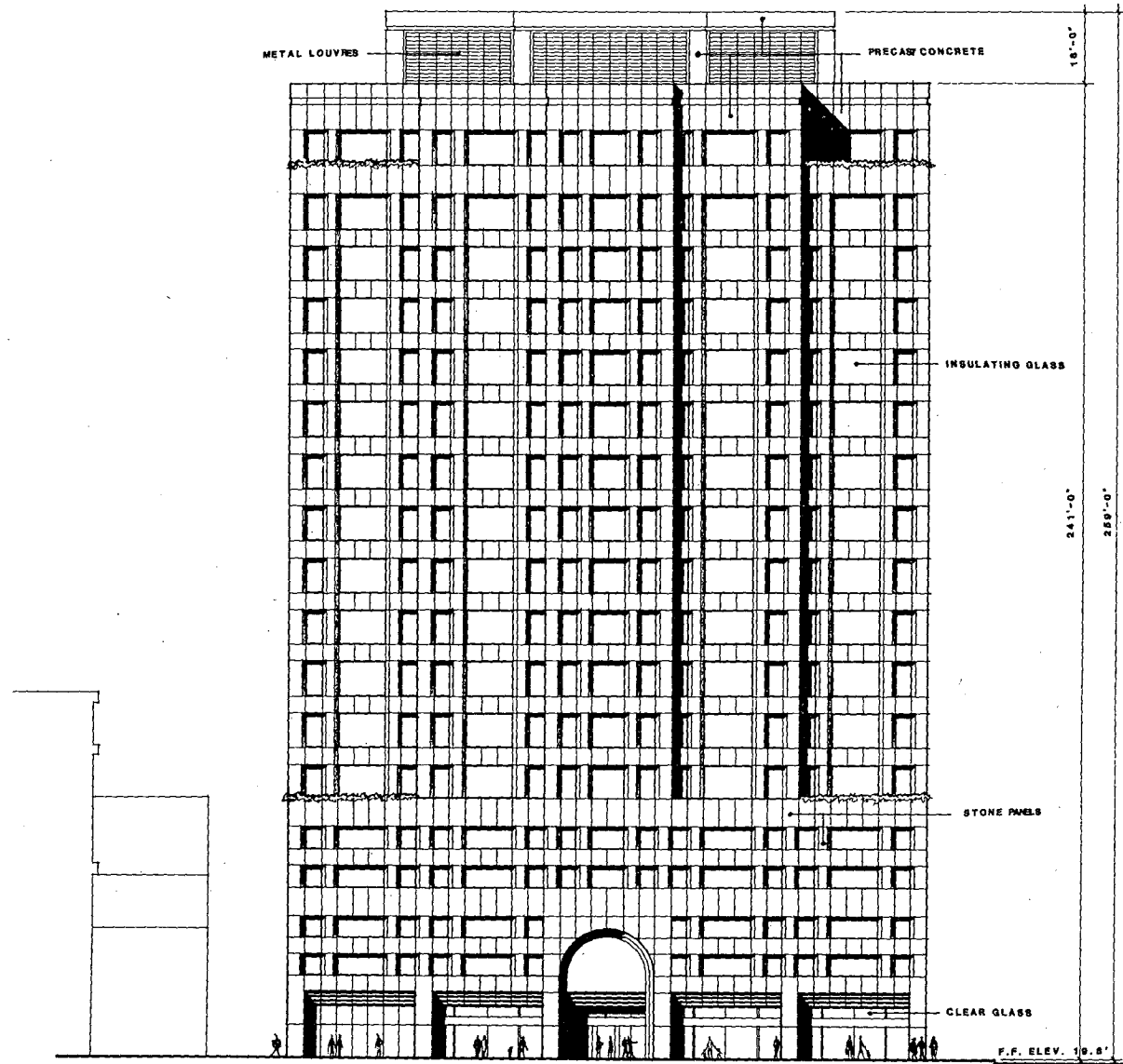
1/8" 1'-0"

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9th STREET ELEVATION

1/16" = 1'-0"

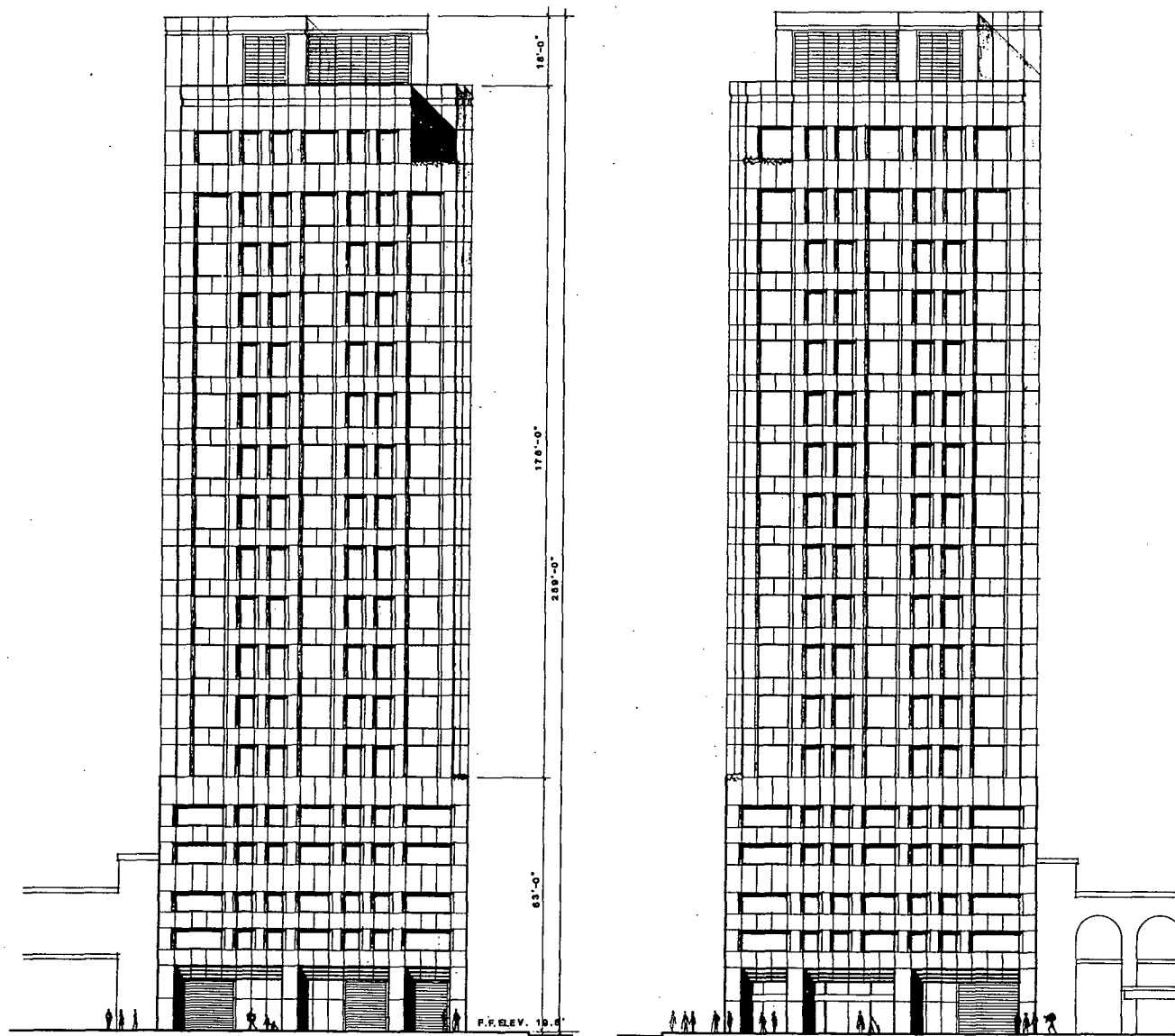
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SOUTH ELEVATION

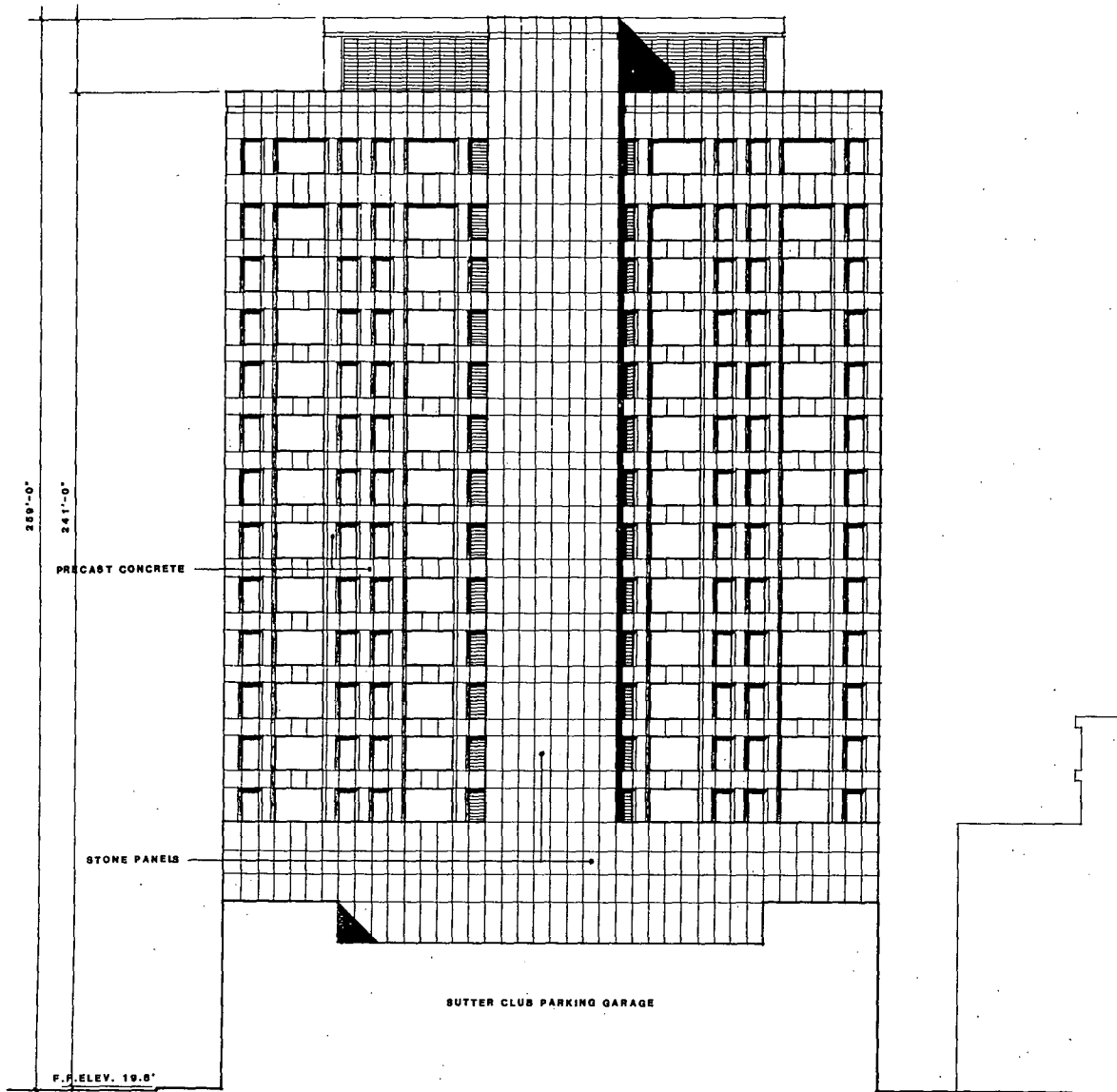
L STREET ELEVATION

1/16" 1'-0"

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WEST ELEVATION

1/16" 1'-0"

3/10/88

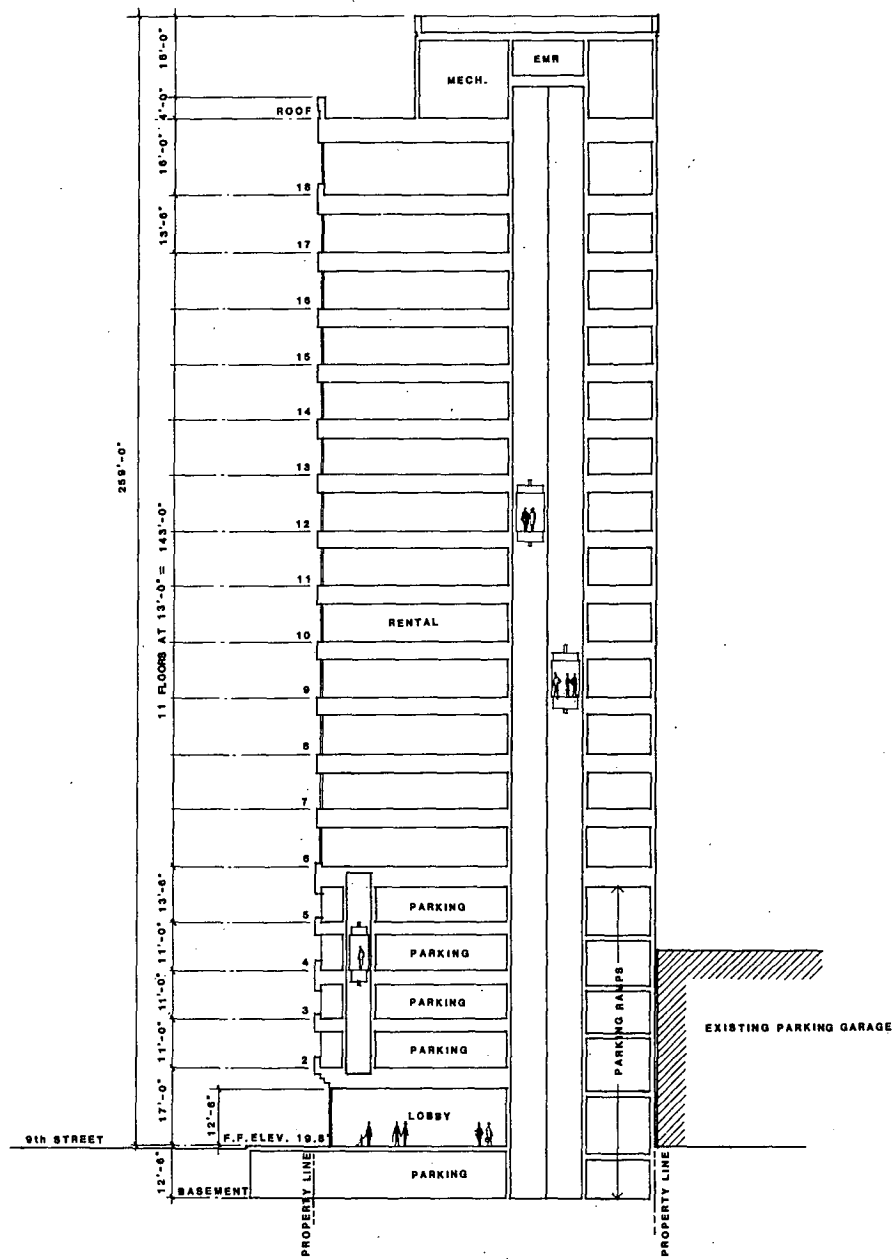
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CAPITOL PARK WEST
SACRAMENTO CALIFORNIA

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EAST-WEST SECTION

1/16" = 1'-0"

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