



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: HERITAGEPOINT
Project Number: P07-035
Project Location: 5650 NATOMAS BLVD 5700 Natomas Boulevard and 5650 Natomas Boulevard.
Assessor's Parcel No.: 201-0440-077-0000, 201-0440-078-0000
Applicant: Brad Shirhall 1528 Eureka Rd., Suite 100, Roseville, Ca 95661

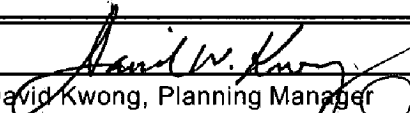
**PROJECT
DESCRIPTION:**

A request to construct a 229-unit gated, senior condominium project on approximately 9.62 vacant acres. The subject site is located in the Multi-family (R-4) zone within the Northborough PUD of the North Natomas Community Plan area. The project requires the following entitlements; Tentative Map for condominium purposes; Special Permit for Alternative ownership housing (condominium); and a Special Permit for a gated community.

ACTION TAKEN: On October 11, 2007, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Requested Entitlement(s)	Action
Mitigated Negative Declaration Mitigation Monitoring Plan	Approved Adopted
Tentative Map to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (r-4 - PUD) zone.	Approved
Special Permit-Residential for alternative ownership housing to develop 229 unit condominium units on approximately 9.62 acres in teh Multi-Family (R-4 PUD) zone.	Approved
Special Permit-Other to allow a gated residential development in the Multi-Family (R-4 - PUD) zone.	Approved

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: **10/12/2007**

By:


Staff Signature **JENNIFER MATTHEWS**

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exaction imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exceptions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (SCC 18.44.140).

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before **10/22/2007**. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Attachment 1
Findings of Fact and Conditions of Approval
Heritage Point (P07-035)
5700 and 5650 Natomas Boulevard

Findings Of Fact

A. Environmental Determination:

1. The Planning Commission of the City of Sacramento finds as follows:
 - a. On August 23, 2001, the Planning Commission adopted a Mitigated Negative Declaration (MND) and approved the Mitigation Monitoring Program for the Heritage at Natomas Park (P00-005) Project.
 - b. The Heritage Point (P07-035) Project proposes to modify the previously approved Project as follows:

Tentative Map to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (R-4 – PUD) zone;

Special Permit for alternative ownership housing to develop 229 condominium units on approximately 9.62 acres in the Multi Family (R-4 PUD) zone;

Special Permit to allow a gated residential development in the Multi-Family (R-4 - PUD) zone.
 - c. The initial study on the Project Modification determined that the proposed changes to the original Project did not require the preparation of a subsequent environmental impact report or negative declaration.
2. The Planning Commission has reviewed and considered the information contained in the previously adopted ND for the Project and all oral and documentary evidence received during the hearing on the Project Modification. The Planning Commission has determined that the previously adopted ND constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:
 - a. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted ND due to the involvement of new significant environmental effects;
 - b. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken

which will require major revisions to the previously adopted ND due to the involvement of new significant environmental effects;

- c. No new information of substantial importance has been found that shows any of the following:
 - i. The Project Modification will have one or more significant effects not discussed in the previously adopted ND;
 - ii. Significant effects previously examined will be substantially more severe than shown in the previously adopted ND;
 3. Based on its review of the previously adopted ND for the Project and all oral and documentary evidence received during the hearing on the Project Modification, the Planning Commission finds that the ND reflect the Planning Commission's independent judgment and analysis and adopts the ND for the Project Modification and readopts the findings of fact in support of the ND.
 4. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.
 5. The documents and other materials that constitute the record of proceedings upon which the Planning Commission has based its decision are located in the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834. The custodian of these documents and other materials is the Development Services Department, Environmental Planning Services.
- C. The Tentative Map** to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (R-4 – PUD) zone is approved subject to the following Findings of Fact:
1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:
 - a. The proposed subdivision map together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;
 - b. The site is physically suitable for the type of development proposed and suited for the proposed density;

- c. The design of the subdivision, and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wild in their habitat;
 - d. The design of the subdivision and the type of proposed improvements are not likely to cause serious public health problems;
 - e. The design of the subdivision and the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement is consistent with the City General Plan, The North Natomas Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. Code §66474.6);
 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);
 5. The Planning Commission has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3);
- D. The Special Permit** for alternative ownership housing to develop 229 age restricted (age 55+) condominium units on approximately 9.62 acres in the Multi Family (R-4 PUD) zone is approved subject to the following Findings of Fact:
1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. The multi-family use is located within close proximity to transit and future schools, commercial development, and parks; and
 - b. The multi-family use is well serviced by auto, transit, bicycle, and pedestrian linkages.

2. The project, as conditioned, will not be detrimental to the public health, safety, and welfare, and will not result in the creation of a public nuisance, in that the site design and the building design are consistent with the Northborough PUD Guidelines and the Multi-Family Residential Design Principles:
 - a. The site plan has been redesigned to provide setbacks from the single family residential homes in excess of 85 feet, a significant distance farther than the required 15 foot setback.
 - b. The structures do not exceed the allowed height of 39 feet as required by the PUD and the mass and scale of the structures is consistent with the adjacent Multi-family senior apartment complex.
 - c. The location of the buildings allows for light and air to flow between the structures and provide adequate pedestrian and vehicular circulation and parking.
3. The project, which has a net density of 28.3 du/na, is consistent with the North Natomas Community Plan, which designates the parcel as High Density Residential (11-29 du/na) and the General Plan.

E. The Special Permit to allow a gated residential development in the Multi-Family (R-4 - PUD) zone is approved subject to the following Findings of Fact:

1. The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.

Based upon the discussion of the evaluation criteria, listed above, staff believes the project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.

2. The project is consistent with city regulations and guidelines relating to the establishment of gated developments.

The project will be required to meet city regulations and guidelines in addition to conditions of approval placed upon the special permit for the gates.

3. The project is consistent with the objectives of the general plan, community plan, or other local plan for the area in which the project is to be located.

The gates will not inhibit linkages to a number of land uses such as parks, pedestrian promenades, and other activity centers.

4. The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.

Conditions Of Approval

C. The Tentative Map to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (R-4 – PUD) zone is approved subject to the following conditions of approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P07-035).

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering Division.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

SPECIAL DISTRICTS: Assessment Districts

- C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.

DEVELOPMENT ENGINEERING:

- C2. The applicant shall participate in the North Natomas Financing Plan, adopted by Resolution No. 94-495 on August 9, 1994, as amended from time to time, and shall execute any and all agreements which may be required in order to implement this condition.
- C3. Comply with and meet all the requirements of the Development Agreement to the satisfaction of the Development Engineering Division.
- C4. The Design of any improvements not covered by these conditions or the PUD guidelines shall be to City standards.
- C5. Comply with requirements included in the Mitigation Monitoring Plan (MMP) developed by, and kept on file in, the Planning Division Office (P00-005).

- C6. Prior to submittal of improvement plans for any phase of this project, the developer's design consultant(s) shall participate in a pre-design conference with City staff. The purpose of this conference is to allow City staff and the design consultants to exchange information on project design requirements and to coordinate the improvement plan review process. Contact the Development Engineering Division Section Plan Check Engineer at 808-7915 to schedule the conference. It is strongly recommended that the conference be held as early in the design process as possible.
- C7. Construct standard subdivision improvements pursuant to Section 16.48.110 of the City Code and standards adopted in and for the North Natomas Community Plan and as specified in these conditions and the conditions of the Master Tentative Parcel Map. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the Development Engineering Division. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.
- C8. The design of walls and fences near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 17.76.100 (25' sight triangle). Walls shall be set back 3 feet behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. The height of landscaping (at maturity) and other visual obstructions within the required sight triangle (Caltrans or City standard, whichever is larger) shall be no greater than 3.5 feet as measured from roadway centerlines.
- C9. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.
- C10. The applicant shall dedicate (if necessary) and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Development Engineering Division.
- C11. Install permanent street signs, if needed, (including regulatory, advanced warning, guide, and street name signs) to the satisfaction of the Development Engineering Division.
- C12. Dedicate and construct the full-width of Natomas Boulevard per the modified 4-lane cross section on file with the Development Engineering Division. During construction of the full-width of Natomas Boulevard, two lanes of traffic (one in each direction) are required to be open at all times. Off-site right-of-way may be required. Costs associated with

these improvements may be subject to reimbursement, per the Development Agreement.

- C13. Parking shall not be allowed on Rose Arbor Drive adjacent to the subject site. The applicant shall sign and stripe Rose Arbor Drive "No Parking" to the satisfaction of Development Engineering if said signing and striping is not already in place.

CSD-1:

- C14. Connection to CSD-1's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction.
- C15. Each parcel with a sewage source shall have a separate connection to the CSD-1 public sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or CSD-1 public sewer line. This project would connect to the existing 8" private sewer line which would become public sewer line from the point of connection downstream.
- C16. Private sewer service laterals will not be permitted to connect directly to the 21-inch diameter trunk sewer line or the 14-inch force main.
- C17. In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required.
- C18. Sewer easements will be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. CSD-1 will provide maintenance only in public right-of-ways and in easements dedicated to CSD-1.
- C19. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s) and pump stations, shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.
- C20. Gates across CSD-1 easements shall meet CSD-1 standards for accessibility.
- C21. CSD-1 requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all

potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis.

- C22. All structures along private drives shall have a minimum 10-foot setback (measured horizontally from edge of collector pipe to edge of structure) so that CSD-1 can properly maintain the sewer line.
- C23. The subject project owner(s) and successors in interest thereof, shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations, including landscaping, channelizations, lighting and any other appurtenances conflicting therein. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-drivable street appurtenances.
- C24. Demonstrate the existence of, and if needed, abandon the existing easement along the subject property's southwest boundary and grant CSD-1 a sewer access and maintenance easement centered along the existing manhole near the property's southwest boundary. Easements from adjoining parcels may not be required. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer.
- C25. The existing 8-inch stub in the Northwest corner of the property is public sewer line up to the property line. After the property line it is a private sewer line that serves the property to the south of Heritage Point project. In order to serve Heritage Point this line downstream from the connection point of this project (Heritage Point) needs to be accepted as a public sewer line. The following (Condition C26) will apply:
- C26. The existing private on-site sewer system shall be accepted as CSD-1 sewer facilities. Prior to acceptance, the system shall meet CSD-1 standards and the following requirements shall be met.
- a. Submit an acceptable TV report for review by CSD-1.
 - b. Repair any deficiencies revealed by the report.

- c. Improve the system as needed to meet CSD-1 standards.
- d. The on-site private sewer system shall be dedicated to CSD-1 and sewer easements shall be provided. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.
- e. Provide plan and profile views of the sewer system to CSD-1.
- f. Each parcel shall have a separate connection to the CSD-1 sewer.

UTILITIES:

- C27. Any new domestic water services shall be metered. A single street tap for a metered domestic water service is required for the condominium parcel. The clubhouse and pool area shall have a separate street tap for a metered domestic water service and common area landscaping shall have a separate street tap for a metered irrigation service. Water service for the condominium units may be deferred until the time of Building Permit. Water service for the clubhouse and pool area may be deferred until the time of Building Permit.
- C28.
- C29. The onsite water, sewer and storm drain systems shall be private systems maintained by the association. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, an ownership association shall be formed and C.C.&R's shall be approved by the City and recorded assuring maintenance of sanitary sewer, water and storm drainage facilities within the condominium project. The C.C.&R's shall authorize the association to contract on behalf of all owners within the condominium project for sanitary sewer, water and storm drainage services for the condominium units, common area(s) and all other areas within the condominium project.
- C30. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, the owner(s) and ownership association shall enter into a utility service agreement with the City to receive such utility services at points of service designated by the DOU, provided that such agreement shall not apply to sanitary sewer service provided by County Sanitation District No. 1 instead of the City. Such agreement shall provide, among other requirements, for payment of all charges for the condominium project's water, sanitary sewer (if provided by City) and storm drainage services, shall authorize discontinuance of utility services at the City's point(s) of service in the event that all or any

portion of such charges are not paid when and as required, shall require compliance with all relevant utility billing and maintenance requirements of the City, shall require sub-metering of water service to the condominium units if requested by the DOU or required by any other government agency, and shall be in a form approved by the City Attorney.

PPDD: Parks

- C31. **Maintenance District:** The applicant shall provide proof that the project site is included in a parks maintenance district, or shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact the Special Districts Project Manager in the Development Services Department). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.
- C32. **Payment of In-lieu Park Fee:** The Heritage Point condominium project is located within the boundaries of the Heritage at Natomas Park Master Parcel Map (project number P00-005; final map recorded on February 27, 2002). The applicant shall provide documentation to the satisfaction of the Park Planning and Development Services Division (PPDS) that the parkland dedication requirements as outlined in City Code Chapter 16.64 have been met for this map. If after review by PPDS of the documentation, additional parkland is required, the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)

C33.

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

1. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

2. Per City Code, the point of service for water sewer service is located at the back of curb for separated sidewalks, the back of sidewalk for attached sidewalks, and within two (2) feet of the alley right-of way. The onsite water and sewer systems shall be private systems maintained by the ownership association.
3. Many projects within the City of Sacramento require on-site booster pumps for fire suppression and domestic water system. Prior to the design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.
4. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
5. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area served by a regional water quality control facility, only source control measures are required. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On-Site Stormwater Quality Control Measures" for appropriate source control measures.
6. The proposed project is located in the Flood zone designated as a **Shaded X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the **Shaded X** zone, there are no requirements to elevate or flood proof.
7. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
 - a. Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. In the event the Quimby fee for this project was not paid as part of the Heritage at Natomas Park Master Parcel Map, the Quimby fee due for this project is estimated at \$1,662,540. This is based on 229 multi-family units and an average land value of \$687,500 per acre for the North Natomas Planning Area, plus an additional 20% for off-site park infrastructure improvements, less acres

in land dedication. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

b. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$606,163. This is based on 229 multi-family units at the rate of \$2,647 per unit. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

8. **Private Facility Credits:** City Code Chapter 16.64, Sections 16.64.100, 110 and 120 address granting of private recreation facility credits. The city may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or comparable in lieu fees, shall not exceed twenty-five (25) percent of the dedication or fees, or both, otherwise required under this chapter and no more than five percent per category of open space or recreational facilities described in this Chapter under 16.64.100

Should the applicant elect to request City consideration of private facility credits the procedure outlined in 16.64.120 must be followed. Critical timing outlined in this Section includes:

- 1) At the time of the hearing on the tentative subdivision map, the planning commission shall recommend to the city council whether a credit is to be given for private recreation facilities, unique natural and special features, or for any other reason provided in Section 16.64.100 of this chapter.
- 2) Open space covenants for private park or recreational facilities shall be submitted to the city council prior to approval of the final subdivision map or parcel map and shall be recorded contemporaneously with the final subdivision map. (Prior code § 40.16.1612)

D. The Special Permit for alternative ownership housing to develop 229 condominium units on approximately 9.62 acres in the Multi Family (R-4 PUD) zone is approved subject to the following conditions of approval:

PLANNING:

General:

- D1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
- D2. The project shall substantially conform to the approved plans as shown on the attached exhibits. Any modification to the project shall be subject to review and approval by Planning Division staff (and may require additional entitlements) prior to the issuance of building permits.
- D3. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Code.
- D4. The applicant shall comply with the Mitigation Monitoring Plan for this proposal (P00-005).
- D5. The project shall participate in the North Natomas Financing Plan.
- D6. All mechanical equipment shall be located within the structure or enclosed in cabinets or screened by either landscaping or screens/fencing, where landscaped areas are of insufficient width to accommodate adequate landscaping. Final designs of landscaping and/or screening shall be shown on the final landscaping plan.
- D7. The applicant shall paint all electrical meters/cabinets, telephone connection boxes, and other utility appurtenances to match the building to which they are attached.
- D8. The applicant shall provide pavement treatment and landscaping along the garage side of each residential building.
- D9. The applicant shall provide benches or active recreation amenities in the areas located between Buildings D & E and F & G.
- D10. The applicant shall install exterior doors in the stairwells in Type B buildings. Exit enclosures on the exterior walls of buildings may have unprotected openings to the exterior when permitted by Table 5-A of the UBC.
- D11. All openings in the exterior wall below and within 10 feet, measured horizontally, of openings in the interior exit stair shall be protect with fixed or self-closing fire assemblies having a three-fourths-hour fire protection rating.
- D12. Windows, which do not have a trim or sill element, shall be enhanced with window treatments such as a sill or enhanced trim, to the satisfaction of the Planning Director.
- D13. The applicant shall provide a 7 foot landscape buffer along the west side of the property line between the masonry wall and the parking spaces.

- D14. The trash enclosure shown on the plans located on the south west corner of the property shall be removed or relocated away from the western property line.

Exterior Lighting:

- D15. Lighting fixtures shall be of a high quality decorative design, having a color and style, which is compatible with the building architecture, as determined by the Planning Director.
- D16. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.
- D17. Lighting shall be provided between the entrances to each garage.
- D18. Each building address number shall be illuminated;
- D19. Seating areas shall be provided between buildings

Parking:

- D20. Off-Street parking shall be provided at a ratio of not less than one and one half parking space per dwelling unit. The dimensions, location, and use of such parking shall be subject to the provisions of the Zoning Code.
- D21. Park stalls shall not be used for Recreational Vehicle (RV) parking at any time.
- D22. Ninety degree parking shall be removed and parallel parking shall be provided along the western edge of the Heritage Point project site. There shall be a minimum 15 foot landscape buffer between the western masonry wall and the parallel parking spaces. Additional landscaping shall be included within the 15 foot landscape buffer for screening.
- D23. Eighteen (18) bicycle parking facilities are required for this proposal. Bicycle parking shall be provided as required by the Sacramento City Code. Bicycle parking shall be dispersed throughout the project and located at building entrances.

Signage:

- D24. Signage shall be consistent with the attached exhibits. This signage approval is for two (2) detached monument signs at the entrance to the development from Rose Arbor Drive and on the corner of Rose Arbor and Natomas Boulevard. The two (2) monument signs shall be no greater than 32 square feet in size. The lettering for the signs shall be no greater than two (2) feet tall and sixteen (16) feet wide.

- D25. All signage shall comply with the Northborough PUD Guidelines. When the guidelines are silent, signage is required to comply with the City of Sacramento's Sign Ordinance.
- D26. All detached signs shall be monument signs.

DEVELOPMENT ENGINEERING

- D24. Construct standard subdivision improvements pursuant to Section 16.48.110 of the City Code and standards adopted in and for the North Natomas Community Plan and as specified in these conditions. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the Development Engineering Division. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.
- D25. Dedicate and construct the full-width of Natomas Boulevard per the modified 4-lane cross section on file with the Development Engineering Division. During construction of the full-width of Natomas Boulevard, two lanes of traffic (one in each direction) are required to be open at all times. Off-site right-of-way may be required. Costs associated with these improvements may be subject to reimbursement, per the Development Agreement.
- D26. Parking shall not be allowed on Rose Arbor Drive adjacent to the subject site. The applicant shall sign and stripe Rose Arbor Drive "No Parking" to the satisfaction of Development Engineering if said signing and striping is not already in place.
- D27. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering Division.
- D28. The minimum throat distance for all site driveways shall be 40 (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc).
- D29. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards.
- D30. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall

be determined by the Development Engineering Division.

- D31. Form a Homeowner's Association. CC&R's shall be approved by the City and recorded assuring maintenance of private roadway(s). The Homeowner's Association shall maintain all private streets, lights, sewers, drains and water systems.

UTILITIES:

- D32. Any new domestic water services shall be metered. A single street tap for a metered domestic water service is required for the condominium parcel. The clubhouse and pool area shall have a separate street tap for a metered domestic water service and common area landscaping shall have a separate street tap for a metered irrigation service. (Note: There is an existing 12" water main in Rose Arbor Dr. and dual 12" water main in Natomas Blvd.)

D33.

- D34. The onsite water, sewer and storm drain systems shall be private systems maintained by the association. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, an ownership association shall be formed and C.C.&R's shall be approved by the City and recorded assuring maintenance of sanitary sewer, water and storm drainage facilities within the condominium project. The C.C.&R's shall authorize the association to contract on behalf of all owners within the condominium project for sanitary sewer, water and storm drainage services for the condominium units, common area(s) and all other areas within the condominium project.

- D35. Prior to the initiation of any water, sanitary sewer or storm drainage services to the condominium project, the owner(s) and ownership association shall enter into a utility service agreement with the City to receive such utility services at points of service designated by the DOU, provided that such agreement shall not apply to sanitary sewer service provided by County Sanitation District No. 1 instead of the City. Such agreement shall provide, among other requirements, for payment of all charges for the condominium project's water, sanitary sewer (if provided by City) and storm drainage services, shall authorize discontinuance of utility services at the City's point(s) of service in the event that all or any portion of such charges are not paid when and as required, shall require compliance with all relevant utility billing and maintenance requirements of the City, shall require sub-metering of water service to the condominium units if requested by the DOU or required by any other government agency, and shall be in a form approved by the City Attorney.

- D36. The proposed development is located within County Sanitation District No. 1 (CSD-1). Satisfy all CSD-1 requirements.

- D37. Properly abandon under permit from the City and County Environmental Health Division, any well or septic system located on the property.

- D38. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. The drainage study shall be developed using the Master Drainage Study for the project area. The drainage study shall include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The DOU shall approve this study and shed map. The on-site storm drain system shall be sized per latest design runoff standards. Prior to design, contact the DOU for the design criteria.
- D39. An onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap.
- D40. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
- D41. This project is greater than 1 acre in size; therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
- D42. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area served by a regional water quality control facility, only source control measures are required. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On-Site Stormwater Quality Control Measures" for appropriate source control measures.

BUILDING:

- D43. Additional on-site handicap parking shall be provided.
- D44. In both building types handicap accessible parking stalls with unloading and loading aisle shall be provided.
- D45. Handicap adaptable dwelling units shall be provided.

D46. An elevator lobby shall be provided.

URBAN FOREST SERVICES:

D47. The planting legend size column lists tree containers as 4' to 8' boxes. The applicant shall revise to 15 gallon or 24" box.

D48. The applicant shall revise the landscape plan to show large canopy trees planted at a minimum spacing of 25', (several large canopy trees are shown planted less than 25' apart).

D49. All park strip trees or trees adjacent to the City right of way are to be irrigated on a non-turf station by a minimum of two pop-up heads w/3' radius nozzles installed 30" to 40" from center trunk line.

REGIONAL TRANSIT:

D50. Contact Robert Hendrix, RT Facilities (916) 649-2759 to determine if a bus shelter pad shall be provided. If determined appropriate (by RT) provide a bus shelter pad as directed.

D51. Transit information shall be displayed in a prominent location in the residential sales/rental office, through a homeowner's association, or with real estate transactions.

D52. The applicant shall join the North Natomas Transportation Management Association.

ADVISORY COMMENTS:

POLICE:

Site Plan

1. The perimeter of the site shall be adequately fenced with a chain link fence containing necessary construction gates to be locked after normal construction hours while project is under construction
2. A security person shall be provided to patrol the project after normal working hours during all phases of construction as necessary.
3. Security lighting shall be provided to illuminate vulnerable equipment and materials.

- A. Lighting shall be at a level to allow adequate visibility of the presence of any person on or about the site during hours of darkness.

Lighting

- 4. Driveways, circulation areas, recesses, and grounds contiguous to buildings shall be provided with high intensity discharge lighting, with sufficient lumens to provide adequate illumination to make clearly visible the presence of any person on or about the site during the hours of darkness.
 - A. Such lighting shall be a minimum illumination intensity of .75 foot-candles per square foot at 6-18 inches above the surface.
 - B. Such lighting shall be equipped with vandal-resistant covers and photocell and shall be left on during hours of darkness or diminished lighting.
- 5. Parking lots (including carports), aisles, passageways, and sidewalks/walkways shall be provided with high intensity discharge lighting to provide adequate illumination to make clearly visible the presence of any person on or about the site during the hours of darkness, and provide a safe, secure environment for all persons, property, and vehicles on site.
 - A. Such lighting shall be a minimum intensity of 1.5 foot-candles per square foot at 6-18 inches above the surface.
 - B. Such lighting shall be equipped with vandal-resistant covers and photocell and shall be left on during hours of darkness or diminished lighting.
 - C. Pedestrian scale lighting should be used in high pedestrian traffic areas.
- 6. Each entry, patio, balcony and pedestrian garage door shall be provided with their own light source and shall be adequately illuminated during hours of darkness or diminished lighting to make clearly visible the presence of any person on or about the site.

Landscaping

Landscaping should not create blind spots or hiding spots and should be situated in locations that maximize observation while still providing the desired degree of aesthetics. Landscaped areas should be planned for maximum growth while at the

same time providing unobstructed observation of buildings, parking areas, and walkways, day and night. The following guidelines are recommended:

7. Groundcover plants, including perennial and annual wildflowers, should be used within five feet (5') of the edge of walkways and areas requiring visual surveillance.
8. Groundcover plants should not exceed a height of two feet (2') at maturity in order to allow for adequate natural surveillance.
9. Shrubs should be placed five feet (5') from the edge of walkways requiring natural surveillance and should not be placed within five feet (5') of any fire hydrant or postal receptacle.
10. The height of shrubs should not exceed three (3) feet at maturity. Shrubs that exceed a height of three feet (3') due to natural growth are not recommended with the exception of security-planting materials utilized as barrier plants.
11. Security-planting materials are recommended along property lines and under vulnerable windows throughout landscaped areas.
12. Security-planting materials containing thorns or needles, or those dense in structure may exceed three feet (3') and should be used adjacent to perimeter walls, fences and other walls where desirable to discourage pedestrian cut-through-traffic.
13. Landscaping rock such as river rock and other masonry material such as brick, etc. that are normally used for landscaping accents or borders, frequently lend themselves for use as weapons and/or tools for the commission of crimes. When river-rock and other masonry materials are used, the material should be grouted to prevent removal by hand. River rock should be grouted so that only one-third (1/3) of the rock is exposed above ground.
14. Landscaping should not cover any exterior doors or windows; block or screen the visibility of building address numbers from a public or internal street; block or screen the view of any seated driver from oncoming vehicles or pedestrians at driveways.
15. Trees of an appropriate number, size and species are encouraged throughout landscaped areas and shall be maintained at a minimum distance of seven feet (7') from the lowest branch to the ground.
16. Trees:

- A. The use of trees, maintained at a minimum distance of eight feet (8') from the lowest branch to the ground, may also be used in such areas to provide shade for pedestrians.
- B. Trees shall be placed so as not to inhibit the light pattern of electroliers

Fencing / Walls

- 17. All ground level fencing should be low profile to allow observation while still providing a sense of privacy.
- 18. With exception to property lines requiring masonry walls per City Code, installation of a wrought iron fence (preferably around the entire property), an electronic gate with coded lock and Knox box, and pedestrian gates will greatly improve the security of the complex.
 - A. Electronic Gates shall be set on a timer to close during hours of darkness unless they are designated to remain closed at all times.
 - B. All vehicular gates should have a Knox box.
 - C. Pedestrian gates should be weighted to close automatically.
 - D. Once gates are in place, they should be kept in good working order.
 - E. The property should be posted for "No Trespassing" and sign an agreement with the Police Department to prosecute all violators.
 - F. This agreement shall be kept on file on the premises and in the Police Department.

Parking Lots

- 19. The entrance to the parking area and other highly visible locations on-site shall be posted with appropriate signs per 22658 (a) CVC to assist in removing vehicles at the property owner/manager's request and controlling parking in designated spaces only.
- 20. Parking spaces and garages shall not be numbered to coincide with dwelling unit numbers.
- 21. Guest spaces shall be clearly marked and assigned open resident parking shall be clearly designated.

22. Handicapped spaces shall be clearly marked and properly sign posted.
23. Tire stops shall be installed in all parking spaces that do not overhang a six-foot (6') wide sidewalk or landscape area.

Numbering

24. All residential buildings shall display a street/building number in a prominent location and in such a position that the number is easily visible to approaching emergency personnel and vehicles.
 - A. The numerals shall be no less than five inches (5") in height and shall be of a contrasting color to the background to which they are attached. The numerals shall be illuminated at night.
25. Each individual unit within the complex shall display a prominent identification number, which is easily visible to approaching pedestrian traffic.
 - A. The numerals shall be not less than two to four inches (4") in height and of contrasting color to the background to which they are attached.
 - B. Units accessed by stairways whose numbers cannot be seen from the base of the stairs shall have unit designators at the base of the stairs also.
26. Directional signs shall be installed where appropriate to facilitate location of individual units within the complex.
 - A. There shall be positioned at/near the entrance of the complex an illustrated diagrammatic representation of the complex showing the location of the viewer and the unit designations within the complex.
 - (1) The diagrammatic representation should be illuminated during hours of darkness and diminished light and should be protected by use of vandal-resistant covers.

Residential Buildings

27. Units should be oriented so that primary living areas provide visual surveillance of parking, garage, and common use areas.
28. Entrance doors into individual family units shall be solid core with a minimum thickness of 1-3/4 inches.

- A. Doors shall be secured with single-cylinder deadbolt locks with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw.
 - (1) The locks should be so constructed that both deadbolt and dead latch can be retracted by a single action of the inside doorknob.
 - B. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.
29. Exterior doors swinging out shall have non-removable hinge pins or hinge studs to prevent removal of the door.
30. Storage, linen, laundry, mechanical, electrical, maintenance, and roof access doors shall be of solid core wood or hollow sheet metal with a minimum thickness of 1 ¾ inches and shall be secured by a deadbolt lock with a minimum throw of one inch.
31. Sliding glass doors shall have one permanent door on the outside, and the inside movable section shall be adjusted in such a manner that the up and down play is taken up to prevent lifting with a pry tool to defeat the locking mechanism.
32. Secondary dead locks shall be installed on all single sliding glass doors accessible from ground level or adjacent balconies. Lock bolts shall be of hardened material or shall have hardened steel inserts.
33. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame. The vertical play shall be taken up to prevent lifting of the moveable section to defeat the locking mechanism.
- A. The sliding portion of a sliding glass window shall be on the inside track.
 - B. Window locking devices shall be capable of withstanding a force of 300 pounds in any direction.
 - C. Accessible ground-level windows that open shall be equipped with secondary locking devices.
 - (1). Secondary devices should allow for the window to be left open one inch to two inches (1" – 2") for ventilation, while still being locked with a secondary lock or pin.

Community Building

34. Public entrances should be clearly defined by walkways and signage and should be observable by as many people as possible.
35. Restrooms should be observable from nearby offices.
36. All hallways, external doors, parking areas, and walkways should be well lit.
 - A. Walkways should be illuminated at a minimum intensity of 1.5 foot-candles per square foot at 6 to 18 inches above the surface.
 - B. Parking areas should be illuminated at a minimum intensity of 1.0 foot-candle per square foot at 6 to 18 inches above the surface and should be observable by as many people as possible.
 - (1) Front and rear parking areas should be visible from windows.
 - (2) Side parking areas should be visible from the street.
37. Windows and exterior doors should be visible from the street or by neighbors.
 - A. Windows should be located on all four facades where possible.
38. The jamb on all aluminum-framed, swinging doors shall be so constructed or protected to withstand 1600 pounds of pressure in both a vertical distance of three inches and a horizontal distance of one inch each side of the strike.
39. Glass doors shall be secured with a deadbolt lock with a minimum throw of one inch. The outside ring should be free moving and case hardened.
40. Doors with glass panels and doors with glass panels adjacent to the door's frame shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.
41. On pairs of doors, the active leaf shall be secured with the type of lock required for single doors in this section. The inactive leaf shall be equipped with automatic flush extension bolts protected by hardened material with a minimum throw of three-fourths inch at head and foot and shall have no doorknob or surface-mounted hardware. Multiple point locks, cylinder activated from the active leaf and satisfying the requirements, may be used in lieu of flush-bolts.
42. Any single or pair of doors requiring locking at the bottom or top rail shall have locks with a minimum of one throw bolt at both the top and bottom rails.

43. Doors with panic bars will have vertical rod panic hardware with top and bottom latch bolts.
44. Outside hinges on all exterior doors shall be provided with non-removable pins when pin type hinges are used or shall be provided with hinge studs, to prevent removal of the door.
45. Trash dumpsters and enclosures should not create blind spots or hiding places and should be clearly visible and well lit.

Building and Site Security

46. The Community Building shall be protected by at least a central station intrusion alarm system.
47. It is recommended that the applicant equip the premises with the following security devices with the intent to prevent property and violent crimes and thereby protect employees and the public.
 - A. A security camera system capable of recording and retrieving an image to assist in offender identification and apprehension.
 - B. From research and experience with similar projects within the City of Sacramento, it is quite clear that properly trained and qualified apartment management staff is the key to the success of any multi family housing project. Therefore, the following additional conditions are being placed by the Sacramento Police Department:
 - (1) An on-site or resident manager is required to be on the premises 24-hours/day. 24-hour contact numbers shall be prominently posted throughout the complex.
 - (2) The lease / rental agreement shall contain:
 - a. Addendum that lists out specific consequences for certain prohibited activities and criminal behavior.
 - b. Addendum that lists policy for towing vehicles from the premises.
 - (3) On-site or resident manager shall be responsible for maintaining a Digital Video Recorder (DVR) that has a minimum recording capacity of seven (7) days. Cameras shall be minimally required to provide surveillance of the central recreation area, the mailbox area and the main entry/exit points. The manager shall make any recordings available to the Sacramento Police Department upon request.

- (4) All on-site managers shall minimally meet the certification standards of the Rental Housing Association (RHA) of Sacramento as is outlined in their 5-day "Apartment Management Training Program" This comprehensive training includes:
 - a. Detailed instruction in tenant screening, (i.e. criminal history checks, credit checks & background checks).
 - b. Detailed instruction on rental agreements, fair housing laws, customer service, rents & deposits.
 - c. Detailed instruction on dealing with problem tenants, dealing with criminal activity and processing evictions.

URBAN FOREST SERVICES:

48. All park strip trees or trees adjacent to the City right of way are to be planted in a gradual mound 2" to 3" higher than the surrounding grade and mulched w/ wood chips (playground fiber or coarser) to a depth of approximately 3".
49. No turf, groundcover or shrubs can be planted within 3' of any tree trunk, (recommend installing header board or concrete mow strip to create a 7' to 10' break for each park strip tree planted in turf.

UTILITIES:

50. Per City Code, the point of service for water, sewer and storm drain service is located at the back of curb for separated sidewalks and at the back of sidewalk for attached sidewalks. The onsite water, sewer and storm drain systems shall be private systems maintained by the ownership association.
51. Multiple fire services are allowed per parcel and may be required.
52. All water connections shall comply with the City of Sacramento's Cross Connection Control Policy.
53. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

REGIONAL TRANSIT:

54. Project proponents should consider the impact of project design on transit accessibility. Physical barriers such as walls, cul-de-sacs, circuitous street patterns and speed bumps all impede access to transit.

55. Employers should offer employees subsidized transit passes at 50% or greater discount.
56. Develop a program to offer transit passes at a 50% or greater discount to new residents for a period of six months or more. Program shall be reviewed and approved by RT prior to approval of any special permit for the project.

E. Special Permit to allow a gated residential development in the Multi-Family (R-4 - PUD) zone is approved subject to the following conditions of approval:

PLANNING:

- E1. This gated development shall meet the standards set forth in the Sacramento City Code, Chapter 17.76 (Wall Fence and Gate Regulations).
- E2. The gates shall be consistent with the attached exhibits in terms of design and location.
- E3. When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, or where the building is served by a fire alarm system which is monitored by a central station, the chief is authorized to require approved key switches, key boxes or padlocks to be installed in approved accessible locations or areas in order to permit immediate fire department access. CFC 902.4
- E4. Gates and barriers. Plans shall be submitted for review and approval prior to the installation of gates, barriers, and access control devices which are to be constructed on or within fire department apparatus access roadways. CFC 902.2.4.3

Exhibit 1A Mitigation Monitoring Plan

Heritage at Natomas Park (P00-005)

Mitigation Monitoring Program

Prepared for:

City of Sacramento
Planning and Building Department
1231 I Street, Ste. 300
Sacramento, CA 95814

Prepared by:

Analytical Environmental Services
9309 La Riviera Drive, Suite C1
Sacramento, CA 95826

August, 2001

HERITAGE AT NATOMAS PARK PROJECT

Mitigation Monitoring Program

Introduction

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The mitigation monitoring program (MMP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Mitigated Negative Declaration for the Heritage at Natomas Park project (Proposed Project) prepared by the City of Sacramento. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Mitigated Negative Declaration prepared for the proposed project.

The Heritage at Natomas Park project Mitigated Negative Declaration presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure which:

- § Avoids the impact altogether by not taking a certain action or parts of an action.
- § Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- § Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- § Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- § Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Compliance checklist

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Sacramento. Table 1 of this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The City of Sacramento will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP.

Field monitoring of mitigation measure implementation

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City's Planning and Building Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by Table 1, the inspector will be responsible for the following activities:

- § On-site, day-to-day monitoring of construction activities.
- § Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- § Ensuring contractor knowledge of and compliance with the MMP.
- § Verifying the accuracy and adequacy of contract wording.
- § Having the authority to require correction of activities that violate mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMP.
- § Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Sacramento.
- § Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures.
- § Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

**TABLE 1
MITIGATION MONITORING PLAN**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
V. Air Quality					
<p>Phase I and II Construction</p> <p>The applicant shall include the following measures on all grading plans (the City shall not approve any construction plans without them):</p> <ul style="list-style-type: none"> a) Enclose, cover or water all soil piles twice daily; b) Water exposed soil with adequate frequency to keep soil moist at all times; c) Water all haul roads twice daily; d) Maintain at least two (2) feet of freeboard on trucks when hauling loads; and e) Maintain construction equipment (stationary and mobile) in optimum running condition. <p>In order to reduce air emissions from the Proposed Project to less-than-significant levels during Phase II of construction, the following mitigation measures shall be implemented by the developer and the City of Sacramento during construction:</p> <p>The applicant shall include the following measures on all construction plans (the City shall not approve any construction plans without them):</p> <ul style="list-style-type: none"> f) Maintain construction equipment (stationary and mobile) in optimum running condition; g) The developer shall submit to the City of Sacramento, Planning & Building Department and Public Works Department, an air quality mitigation strategy plan for review and approval that identifies current air quality measures that result in construction fleet emission reductions. These measures may include, but are not limited to, the following: <ul style="list-style-type: none"> a. Use of heavy duty off road vehicle equipment that will achieve Nox and particulate matter reduction; b. use of off-road diesel powered equipment that does not exceed 40% opacity, and 	<p>Applicant (notes on grading plans and development of air quality plan)</p> <p>Developer (implementation of measures in field)</p>	<p>City of Sacramento – Planning and Building Department</p>	<p>Submittal of grading plans with measures a-e identified.</p> <p>Submittal of air quality mitigation strategy to City:</p> <p>Implementation of measures in the field during construction and operation.</p>	<p>Measures a-e: Identified on grading plans prior to approval of grading plan. Measures shall be implemented during construction activities.</p> <p>Measure f- h: Measures f and g identified on construction plans. Measures shall be implemented prior to receipt of Building Permit. Measure h shall be completed prior to receipt of building permit. Measure shall be implemented during operation of office facilities.</p>	

Heritage Point (P07-035)

September 13, 2007

**TABLE 1
MITIGATION MONITORING PLAN**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>c. appropriate documentation and/or on-site monitoring as deemed acceptable to the City of Sacramento</p> <p><u>Operational</u></p> <p>In order to reduce operational/long-term air emissions that would be generated from the commercial development of the site, the developer shall comply with the following measures:</p> <p>h) Prior to receipt of a building permit, the developer shall submit to the SMAQMD for review, and the City Planning and Building Department and Public Works Department for approval a TSM/Air Quality Mitigation Strategy that will reduce air emissions and especially the emissions of ozone precursors (reactive organic gases and oxides of nitrogen). The Air Quality Mitigation Strategy shall reduce reactive organic gas emissions by a minimum of 20 percent (residential) and 50 percent (non-residential) compared to the single-occupant vehicle. Potential strategies may include but is not limited to the following:</p> <ul style="list-style-type: none"> - Provide bicycle parking facilities - Provide bike path connection to Class I and Class II bike lanes, - Provide pedestrian facilities and improvements such as overpasses, wider sidewalks, and clearly parked pathways between transit facilities and building entrances, - Provide bus stop improvements within ¼-mile of stop, - Provide electric vehicle charging facilities, - Provide electric shuttle to transit stops, and Providing or subsidizing public transit passes for employees. 					

Heritage Point (P07-035)

September 13, 2007

**TABLE 1
MITIGATION MONITORING PLAN**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
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VI. Transportation/Circulation					
The project applicant shall be responsible for financing the construction of traffic signals at State Rouge 99 and Elkhorn Boulevard, and Northborough Drive and Elkhorn Boulevard. These mitigation measures will assure that a less than significant impact will result from the Proposed Project.	Applicant	City of Sacramento – Public Works Department	Pursuant to the North Natomas Transportation Financing Plan	Prior to approval of a building permit.	
X. Noise					
Development of the future residential uses along Natomas Boulevard shall be located outside of the 60 dB noise contour as identified in the NNCP EIR. This would require the project site be mitigated for noise through an appropriate noise attenuation measure such as a 6-foot high soundwall. Should traffic volumes change significantly in the future, necessitating a higher soundwall, another noise analysis shall be prepared to determine the height of the sound wall. This measure will assure that the impact will be less-than-significant.	Applicant	City of Sacramento – Planning and Building Department	The development of a 6-foot high sound wall along the Natomas Boulevard frontage. An assessment shall be made by the City to determine if a site-specific noise analysis is required when future entitlements are requested for the project site.	Development of the soundwall shall be constructed prior to issuance of an Occupancy Permit for the residential land uses fronting on Natomas Boulevard. Determination of the need for additional noise analysis shall be made prior to the approval of future entitlements.	
XIV. Cultural Resources					
If subsurface archaeological or historical remains (including unusual mounds of bones, stones, or shells) re discovered during excavation or construction of the site, work shall stop immediately and the County Coroner shall be contacted. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be	Applicant.	City of Sacramento – Planning and Building Division	Note shall be included within the Standard Construction Specifications.	Note: Prior to approval of a grading permit.	

Heritage Point (P07-035)

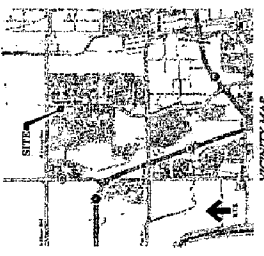
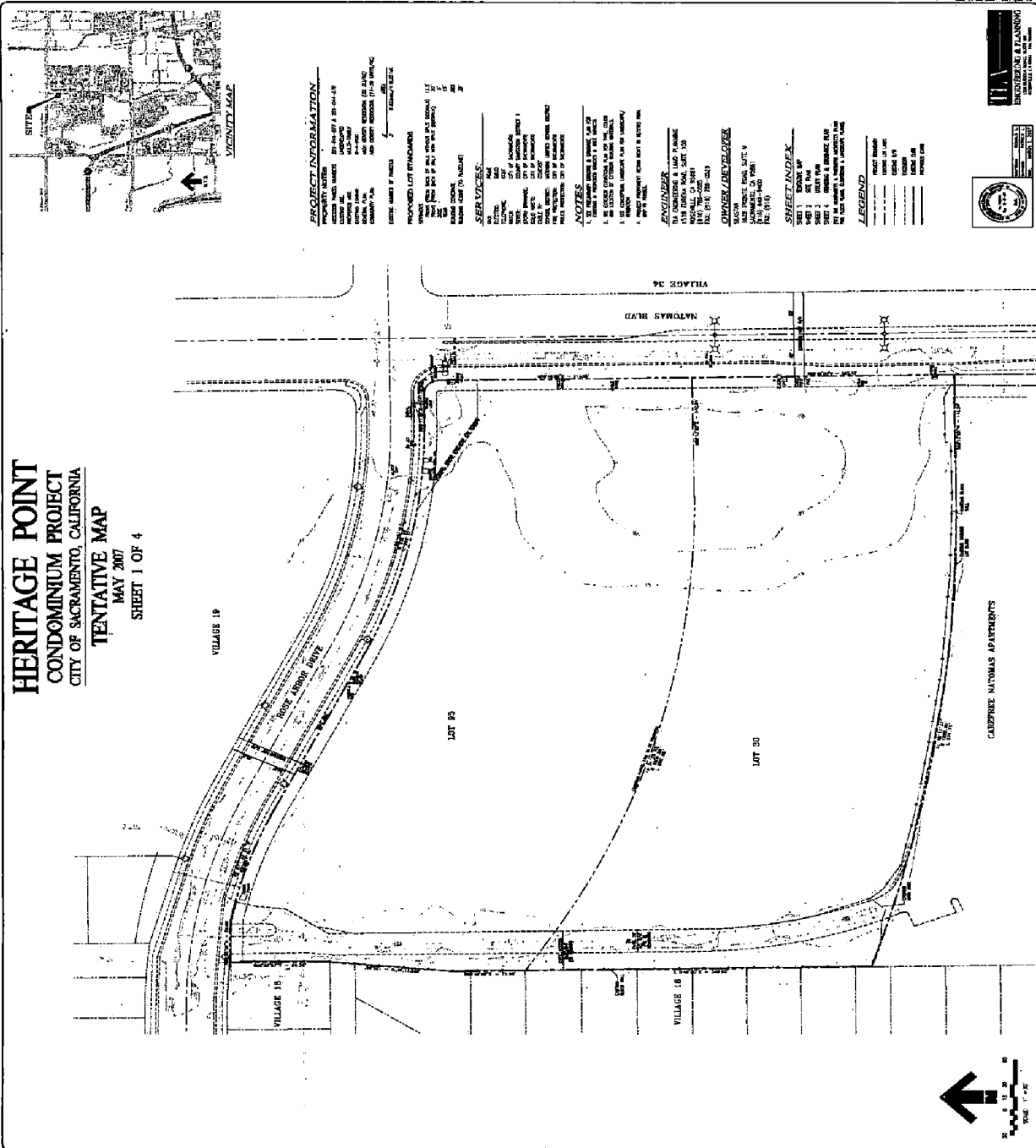
September 13, 2007

**TABLE 1
MITIGATION MONITORING PLAN**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
the most likely descendant. The most likely descendant shall work with the contractor to develop a program for reinterment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate action has been carried out.			Measure shall be implemented in the field during construction.	Implementation of measures: in field during construction activities.	

Exhibit 1B Tentative Map

HERITAGE POINT
CONDOMINIUM PROJECT
CITY OF SACRAMENTO, CALIFORNIA
TENTATIVE MAP
MAY 2007
SHEET 1 OF 4



PROJECT INFORMATION
 PROJECT NAME: HERITAGE POINT
 PROJECT NUMBER: P07-035
 DATE: MAY 2007
 CITY OF SACRAMENTO
 COUNTY: SACRAMENTO
 DISTRICT: 10
 PREPARED BY: [Firm Name]

PROPOSED LOT DIMENSIONS
 LOT 95: [Dimensions]
 LOT 90: [Dimensions]

SERVICES
 ARCHITECT: [Firm Name]
 ENGINEER: [Firm Name]
 SURVEYOR: [Firm Name]

NOTES
 1. THIS TENTATIVE MAP IS SUBJECT TO THE CITY OF SACRAMENTO'S REVIEW AND APPROVAL.
 2. THE CITY OF SACRAMENTO MAY REQUIRE CHANGES TO THIS TENTATIVE MAP.
 3. THE CITY OF SACRAMENTO MAY REQUIRE A PUBLIC HEARING FOR THIS TENTATIVE MAP.

OWNER/DEVELOPER
 SACRAMENTO APARTMENTS, LLC
 1111 J STREET, SUITE 400
 SACRAMENTO, CA 95811
 TEL: (916) 735-1234

SHEET INDEX
 SHEET 1: [Title]
 SHEET 2: [Title]
 SHEET 3: [Title]
 SHEET 4: [Title]

LEGEND
 PROJECT BOUNDARY
 LOT BOUNDARY
 STREET CENTERLINE
 UTILITY CENTERLINE
 PROPOSED CURB

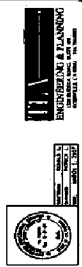
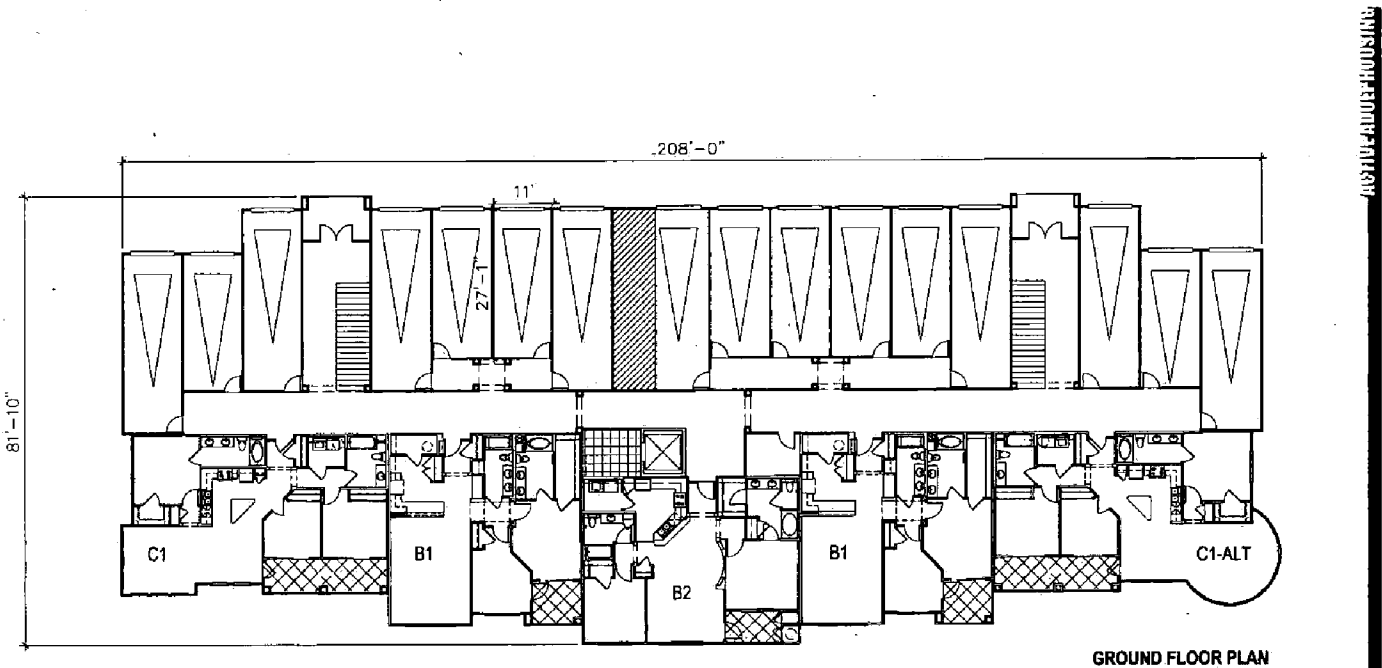


Exhibit 1C – Site Plan



Exhibit 1E – Ground Floor Plan Building Type – A



GROUND FLOOR PLAN

BUILDING PLAN - TYPE A

ACTIVE ADULT HOUSING

CRASTER, INC.
SACRAMENTO

HUMPHREYS
PARTNERS ARCHITECTS

DATE: 9/13/07

01/13/08 10:14 AM

Exhibit 1F – Building Type – A, Typical Floor Plan

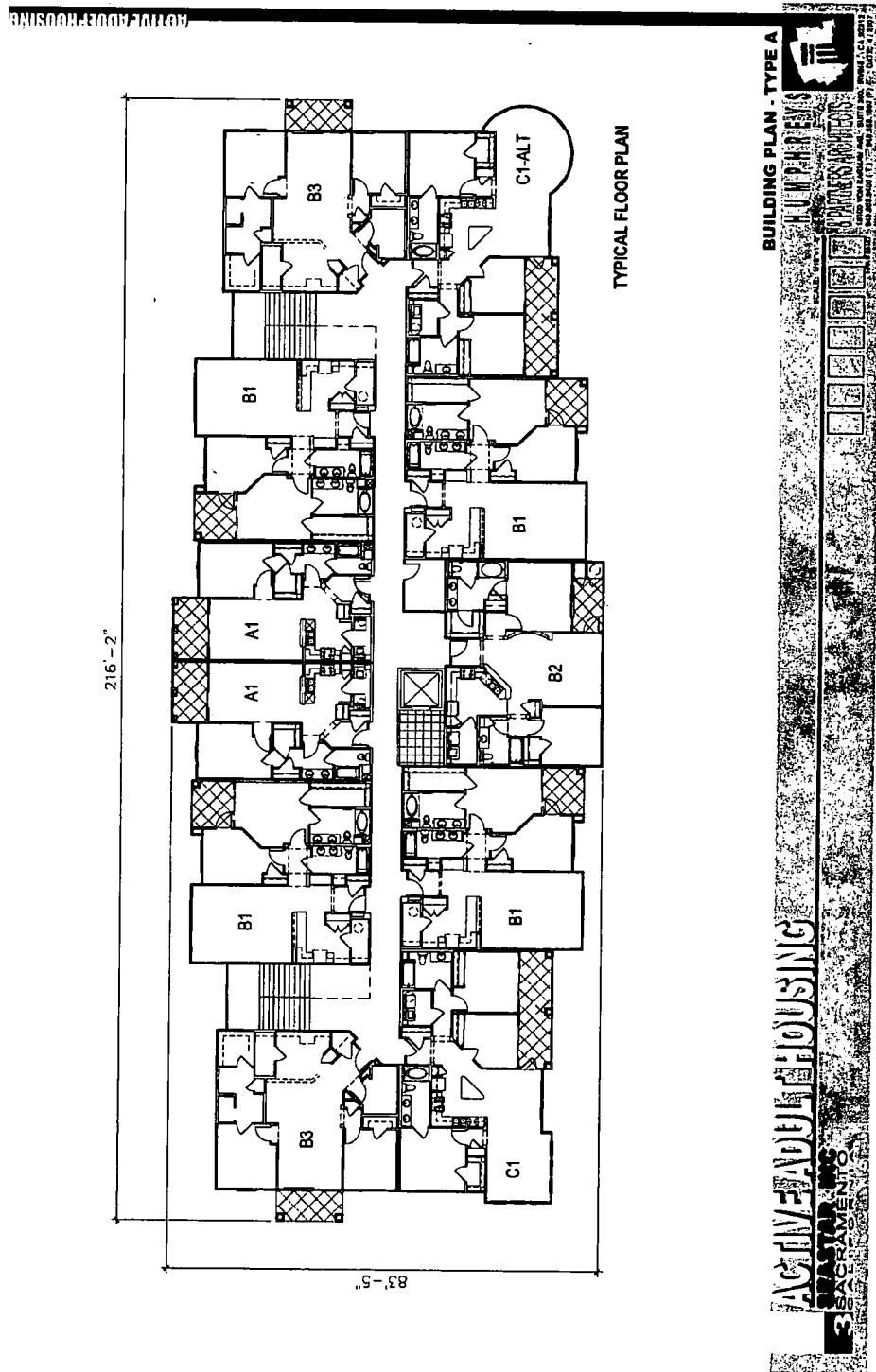
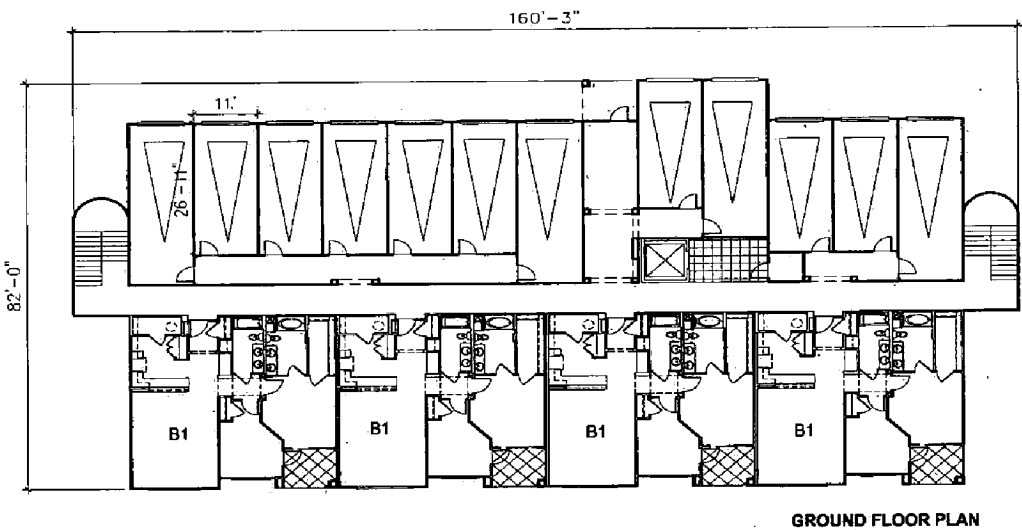


Exhibit 1G – Ground Floor Plan Building Type – B



ACTIVE ADULT HOUSING
SEATTLE INC
SACRAMENTO

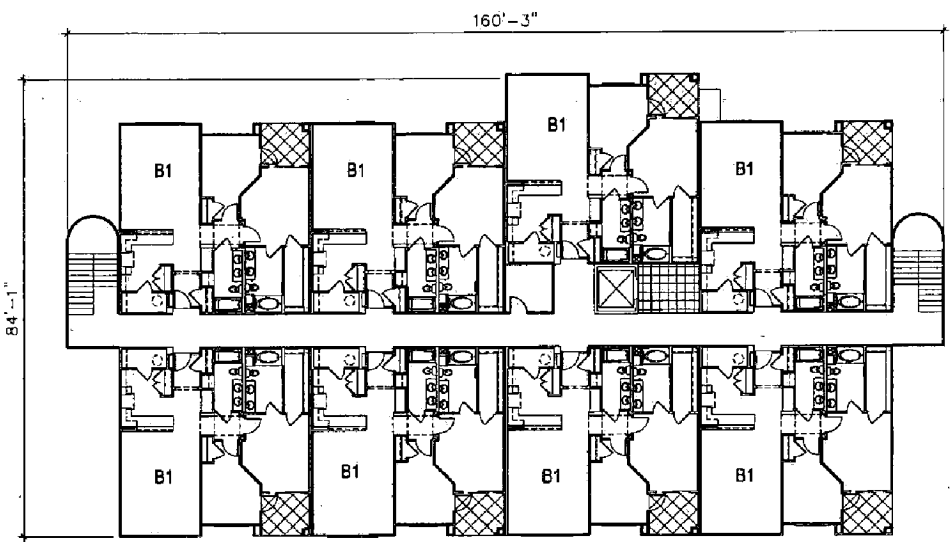
BUILDING PLAN - TYPE B

WILSON PERREY & PARTNERS ARCHITECTS

2100 VAN KIRKMAN AVE. SUITE 200 FRESNO, CA 93701
TEL: 559.239.4400 FAX: 559.239.4401 WWW.WP&P.COM

Exhibit 1H - Floor Plan Building Type - B

BRISBANE PROPERTY SOLUTION



TYPICAL FLOOR PLAN

BUILDING PLAN - TYPE B

ACTIVE ADULT HOUSING
SEASTAR INC
SACRAMENTO

WU-M-PARTNERS
WU-M-PARTNERS ARCHITECTS

1825 VON KARSTEN AVE. SUITE 200, FRESNO, CA 93713
SACRAMENTO (714) 486-1887 / FAX (916) 486-1888
WWW.WU-M-PARTNERS.COM

Exhibit 11 – Character Elevation, Building Type – A

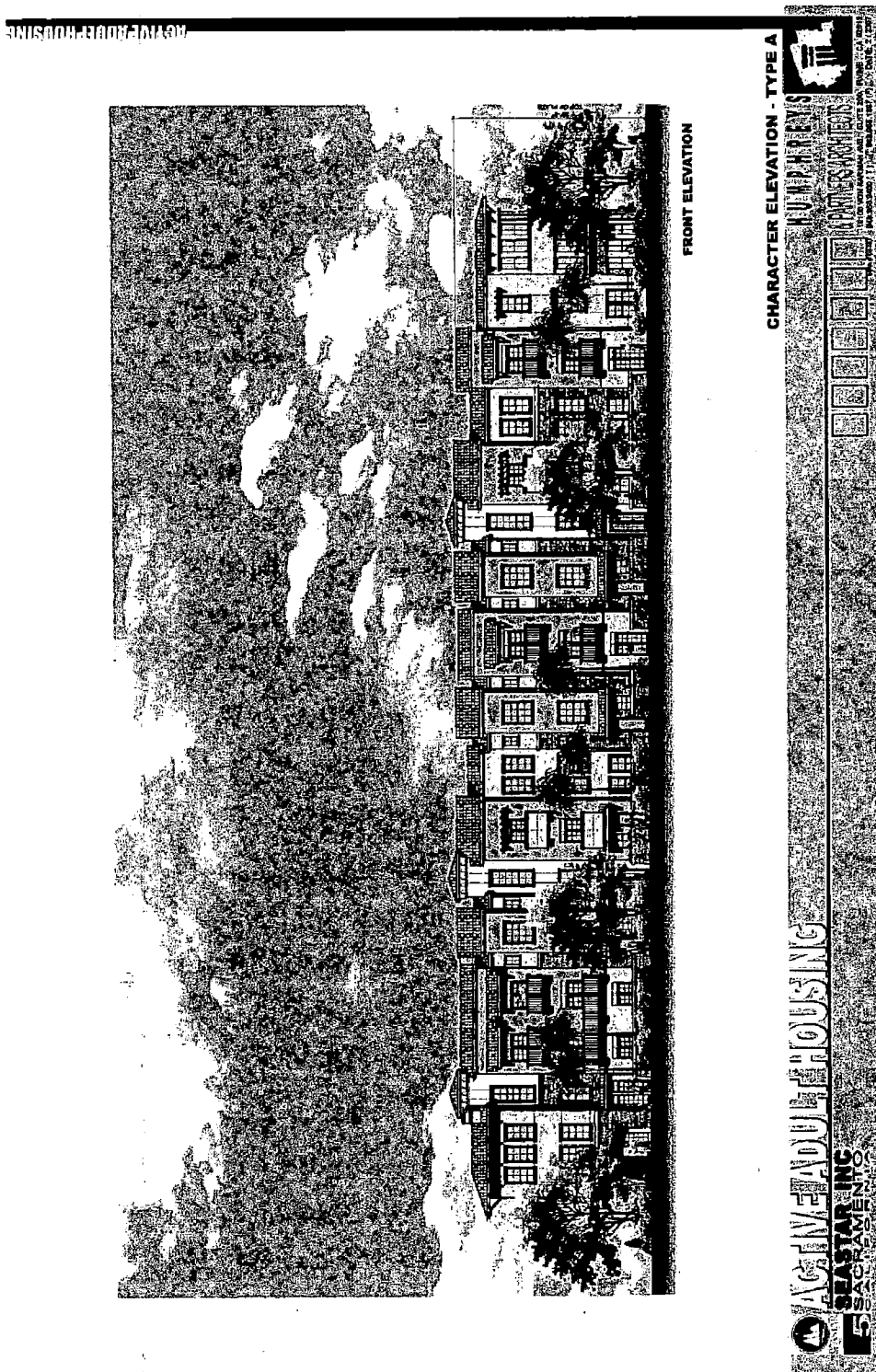


Exhibit 1J – Character Elevation, Building Type – A Side and Rear

AMERICAN SOUTHWEST



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

CHARACTER ELEVATION - TYPE A

ACTIVE ADULT HOUSING

SEASTAR, INC.
SACRAMENTO

WOODWARD CLARK PARTNERS ARCHITECTS

1000 WOODLAND AVENUE, SUITE 2000, SACRAMENTO, CA 95833
916.442.4000 (LOCAL) 916.442.4000 (TOLL FREE) 1.800.442.4000

Exhibit 1K – Character Elevation, Building Type – B

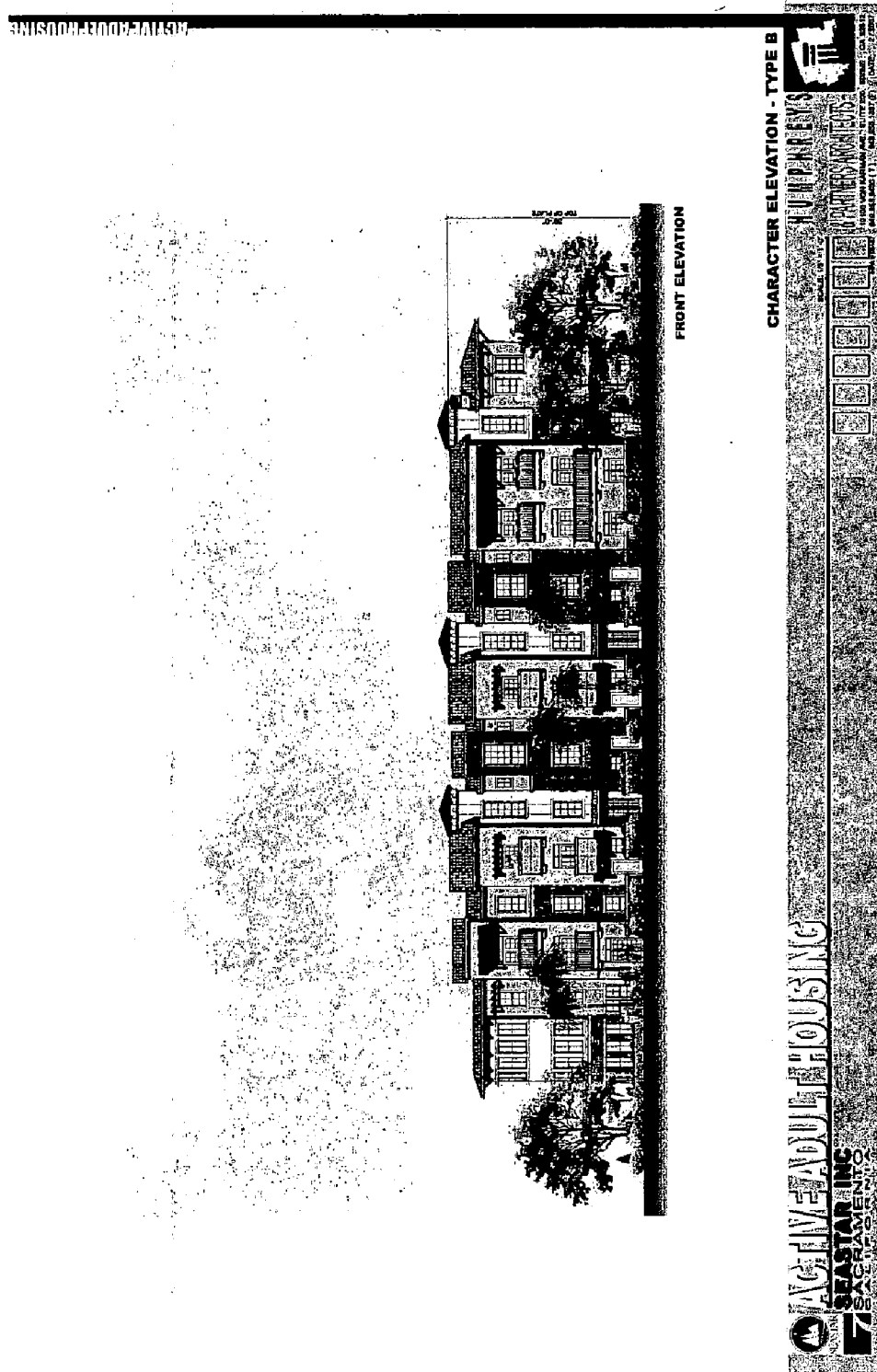
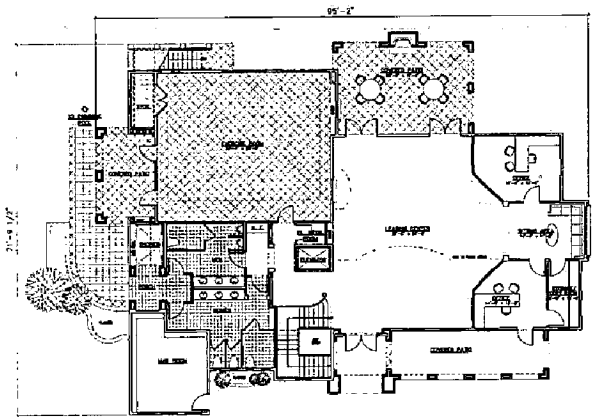
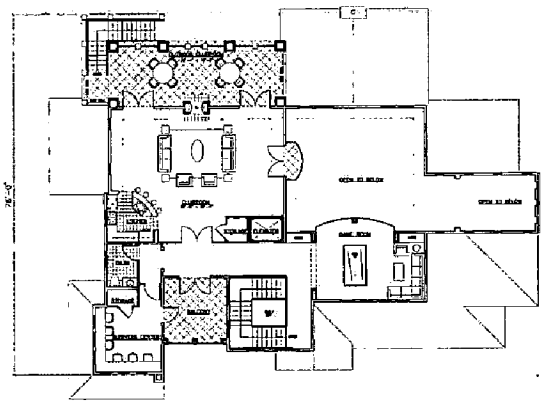


Exhibit 1L – Clubhouse – Floor Plans

ACTIVE ADULT HOUSING



GROUND FLOOR PLAN



SECOND FLOOR PLAN

CLUBHOUSE - FLOOR PLANS


ACTIVE ADULT HOUSING
SEASTAR, INC.
 SACRAMENTO
 SCALE: 1/8" = 1'-0"
 W. J. V. PARTNERS ARCHITECTS
 1000 YORK ST. SACRAMENTO, CA 95811
 916.442.1234 FAX 916.442.1235 DATE: 9/13/07

Exhibit 1M - Clubhouse - Character Elevation

EMISSOR: KIMBERLY STRY



FRONT ELEVATION

CLUBHOUSE - CHARACTER ELEVATION

ACTIVE ADULT HOUSING

SEASTAR INC
SACRAMENTO

WILSON PEREIRA PARTNERS ARCHITECTS
75 HUI VON KAMAHAI AVENUE, SUITE 200, IRVINE, CA 92614
949.855.8400 (T) 949.855.1800 (F) (C) 2007

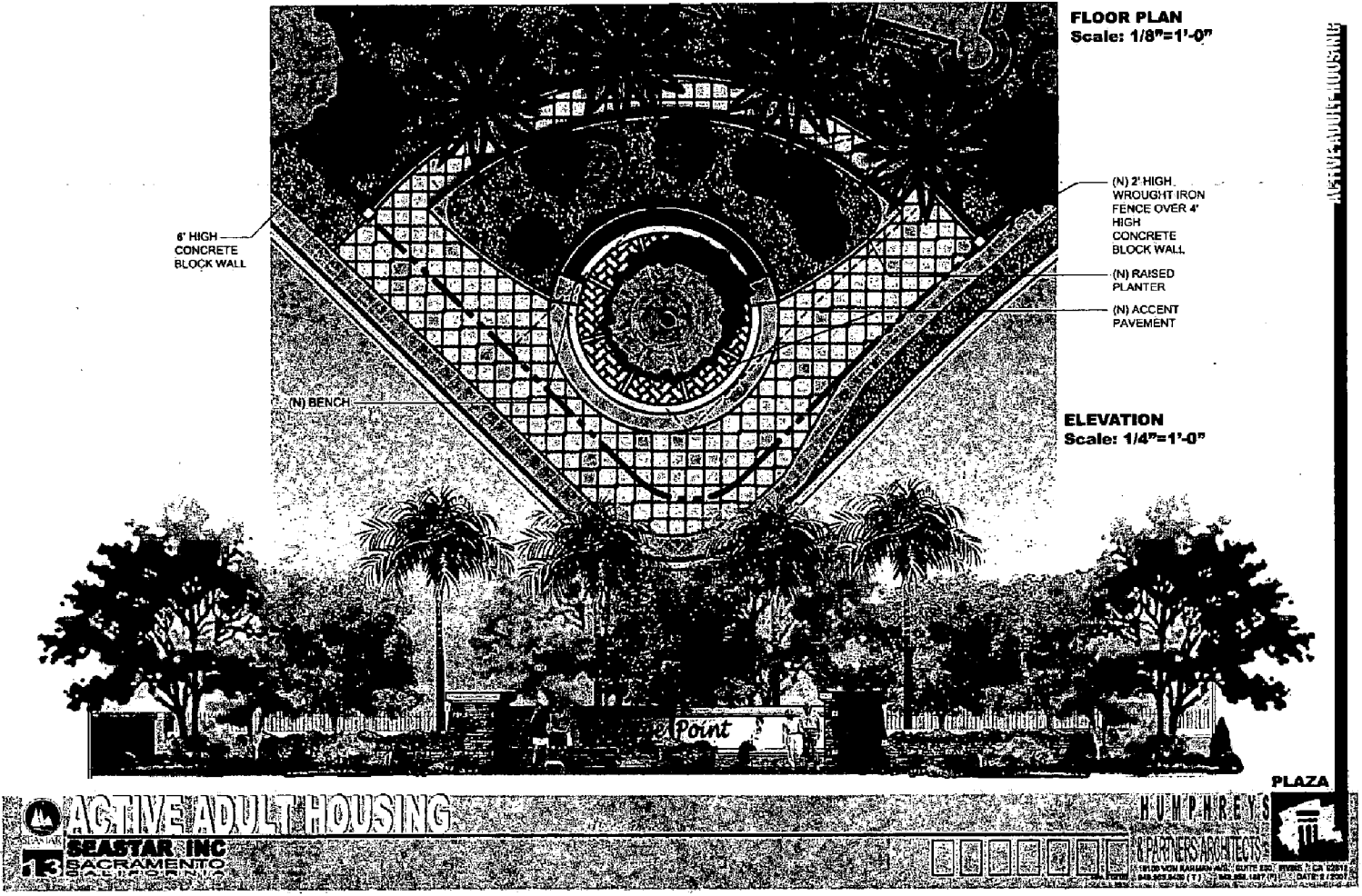
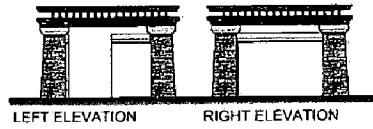
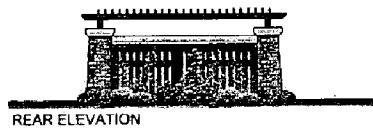
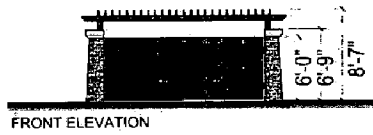
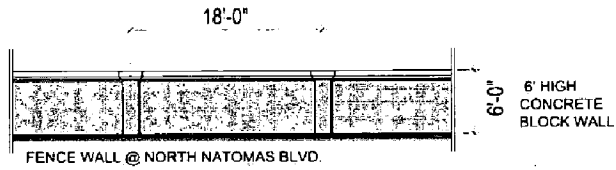
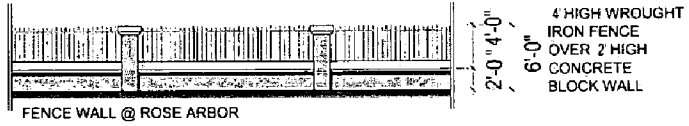
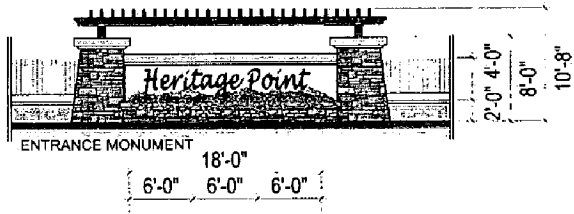
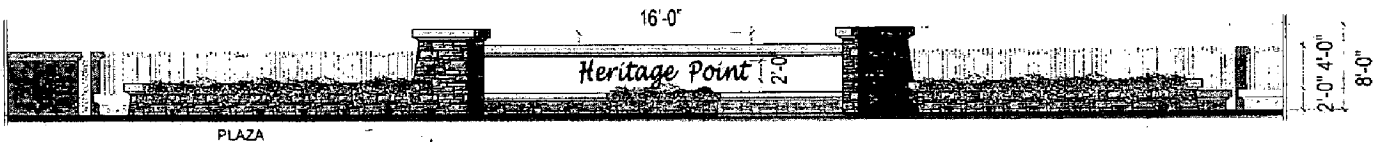


Exhibit 10 – Fencing, Gates, Trash Enclosure and Signage

FENCES
Scale: 1/4"=1'-0"



TRASH ENCLOSURE
Scale: 1/4"=1'-0"

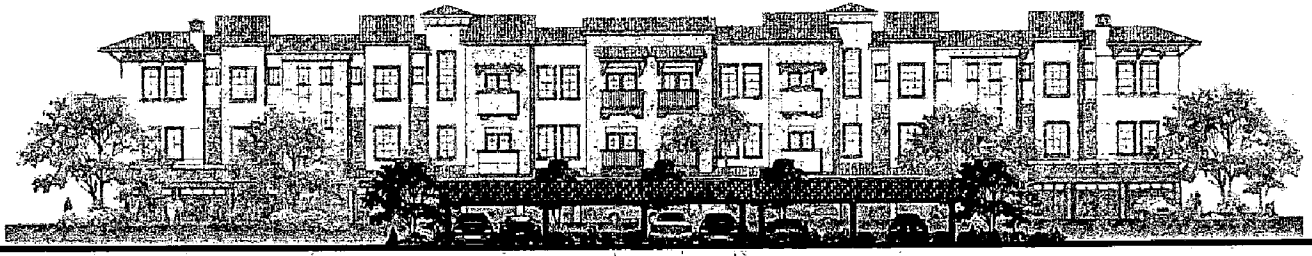


FENCES & TRASH ENCLOSURE

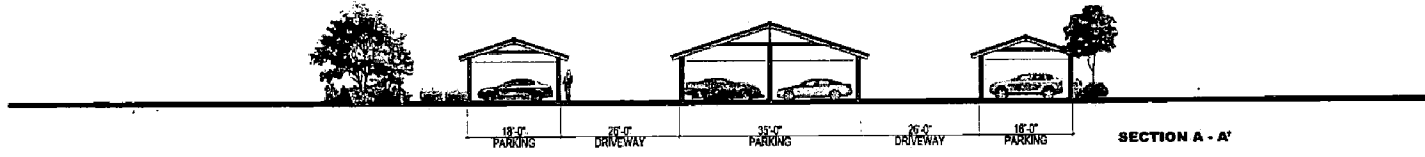


Exhibit 1P – Carport Elevations

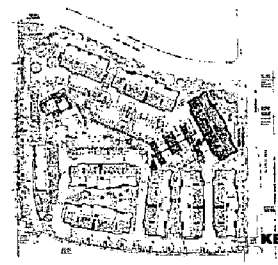
3/15/07 10:00 AM 2/11/07



FRONT ELEVATION



SECTION A - A'



REFERENCE

CARPORT

KEY PLAN

ACTIVE ADULT HOUSING

SEASTAR, INC.
SACRAMENTO, CALIFORNIA

HUMPHREYS PARTNERS ARCHITECTS

11000 WYOMING STREET, SUITE 200, IRVING, CA 92614
TEL: 949.440.1111 FAX: 949.440.1112 DATE: 9/7/07

Attachment 3 – Letter from WalkSacramento

Jennifer Matthews - P07-035 Heritage Point 6-5-07 routing WALKSac comments.doc

Page 1



June 30, 2007

Jennifer Matthews
Junior Planner, Planning Division
City of Sacramento
915 I Street, 3rd Floor
Sacramento, CA 95814

RE: Heritage Point (P07-035)

Dear Ms Matthews:

WALKSacramento submits the following comments on Heritage Point (P07-035). These comments result from our review of the Early Project Notification to Neighborhood Associations, dated June 5, 2007, and the Natomas Chapter Partnership for Active Communities Design and Development Review Committee (DDRC) meeting with the applicant.

WALKSacramento encourages people to walk and bicycle in their communities. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality and a stronger sense of cohesion and safety in local neighborhoods. WALKSacramento is a member of the Partnership for Active Communities, formerly the Safe Routes Sacramento Partnership, and is funded in part by the Robert Wood Johnson Foundation. The Partnership is working to support increased physical activity such as walking and bicycling in local neighborhoods as well as helping to create community environments that support walking and bicycling. One of the ways we are doing this is through the review of proposed development projects in the Natomas community.

Heritage Point is proposed for the southwest corner of Natomas Boulevard and Rose Arbor Drive in the Heritage at Natomas Park PUD in North Natomas. The project would consist of 229 condominium units and a clubhouse with pool within a 9.6 acre gated, age-restricted development.

Changes made since DDRC meeting

We are pleased to see that additional sidewalks and pedestrian gates have been included in the new revised design. The Grading and Drainage Plan, May 2007, provided in the June Development Project Routing, shows three new sidewalks - one sidewalk connecting buildings I and A to the public

Page 2

June 27, 2007

sidewalk at Rose Arbor Drive, one sidewalk connecting buildings B and C to the public sidewalk on Natomas Boulevard, and one sidewalk connecting the northeast corner of building D to the sidewalk on the south side of a six-space carport. The locations of pavement treatments can not be verified because we did not receive a drawing showing such features. The sidewalks and pedestrian gates appear to be the only changes made to the project proposal in response to comments made by the DDRC at the meeting with the applicant.

Remaining issues

We believe that people are more likely to walk when the environment makes it easy and pleasant to walk. Heritage Point is proposed for a site adjacent to what should be two popular walking destinations. Across the street on the north side of Rose Arbor Drive is the site of an approved neighborhood commercial shopping center with a grocery store as a major tenant. Natomas Boulevard is designated a bus trunk line in the Regional Transit 20-year plan. With places such as these so close to Heritage Point, the pedestrian walkways to the shopping center and transit stop should be of the highest quality to encourage walking trips rather than car trips.

Pedestrian circulation The circulation system for pedestrians consists of several meandering sidewalks, sidewalks attached to driveways and carports, several sidewalks between parking spaces and the clubhouse/pool area, and the two sidewalks mentioned in the previous paragraph. Residents in the 189 units in the Type A buildings will enter or exit their buildings through garages or two doorways opening onto driveways. The residents of the 40 units in the Type B buildings will enter or exit their buildings through garages or one doorway opening onto driveways. There will be no way for residents to walk anywhere without walking on driveways. Walks to the mailboxes, clubhouse, and pool will also include passing through parking areas for many residents. We request that pavement treatment and landscaping be placed along the garage sides of each residential building. The pavement treatment would contribute to pedestrian safety by defining pedestrian zones within the driveways. The pavement treatment should connect to sidewalks at the ends of buildings A-E. Landscaping, consisting of groundcover, shrubs, and shade trees would provide a more pleasant and hospitable environment in which residents and visitors could walk.

The pedestrian walkways essentially consist of the meandering sidewalks. Close to two-thirds of the total length of these sidewalks will not contribute to pedestrian circulation since the meandering sidewalks between buildings D and E and between buildings F and G essentially connect parking areas. They should be viewed as open space and not considered part of the pedestrian circulation. In view of this function, we recommend that some resident amenities, such as benches or a bocce court, be placed in these

Page 3

June 27, 2007

open spaces to make them useful to the residents.

Sidewalk connections at residence buildings The left and right elevations for building Type A show what appears to be a door at each end of the buildings, but the ground-floor plan shows each of the buildings ends to consist of private garage, bedroom, and living room. Comparing the elevation drawings to the floor plans leads to the conclusion the door opens into the garage at each end of the building. Therefore, the new sidewalk connections to buildings A and B will provide minimal benefit.

The ground-floor plan for building Type B shows the exterior doorway near the middle of the garage side of the building. There are stairways at each end of the buildings, but left and right elevations were not provided. Since the floor plans do not show exterior doors at the stairwells we conclude the sidewalks connecting to the ends of Buildings H and I will be useless. We recommend modifying the Type B buildings to include exterior doors at the stairwells.

Bicycle ingress/egress at gates At the meeting with the applicant, we identified the need for a convenient way for bicyclist to enter and exit Heritage Point. We suggested using bicycle-sensitive buried detectors, cameras, or keypads. It is preferable that bicycles are not required to use the pedestrian gates. Signs and pavement painting should be used to inform both drivers and cyclists that the driveways and vehicle gates are shared by vehicles and bicycles.

Bike racks and lockers We are unable to verify the status of these items. Regional and local planning relies on increased use of bicycles to contribute to reduced single-occupancy vehicle trips. Visitors arriving on bicycles will need convenient and safe parking places. We repeat the request we made at the meeting with the applicant that bicycle parking spaces be dispersed throughout the project with some placed near an entrance to the clubhouse.

Summary of Recommendations

1. Add pavement treatment and landscaping along garage side of each residential building.
2. Add benches or active recreation amenities between buildings D & E and F & G.
3. Add exterior doors to stairwells in Type B buildings.
4. Include bicycle-activated driveway gates and "share the road" signs and pavement painting.
5. Disperse bicycle parking spaces throughout site.

Thank you for your consideration of these comments and recommendations.

Page 4

June 27, 2007

If you have questions or need additional information, please contact me at (916) 709-9843 or cholm@walksacramento.org.

Sincerely,

Chris Holm
Project Analyst

WALKSacramento
909 12th Street, Suite #122
Sacramento, CA 95814

cc: Ron Colton, Seastar Communities
Brad Shirhall, TLA Engineering & Planning, Inc.
Rich Bell, Active Living by Design
Jeane Borkenhagen, Sacramento Metro Air Quality Management
District
Ed Cox, City of Sacramento - Public Works Department
Steve Farrar, Natomas Unified School District Superintendent
Dan Roth, City of Sacramento - Councilman Tretheway's Office
Walt Seifert, Sacramento Area Bicycle Advocates (SABA)
Paul Zykofsky, Local Government Commission
Partnership for Active Communities Steering Committee
Anne Geraghty, WALKSacramento

Attachment – 4 State DOT Letter

STATE OF CALIFORNIA – BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 – SACRAMENTO AREA OFFICE

VENTURE OAKS – MS 15

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0614

FAX (916) 274-0648

TTY (530) 741-4509



*Flex your power!
Be energy efficient!*

June 15, 2007

07SAC0091
03-SAC-99 PM 33.364
Heritage Point (P07-035)
Application

Ms. Jennifer Matthews
City of Sacramento
915 I Street, 3rd Floor
New City Hall
Sacramento, CA 95814

Dear Ms. Matthews:

Thank you for the opportunity to review and comment on the application for the Heritage Point project. The 9.62 acre project in the North Natomas area proposes 230 age restricted condominiums. The project is located south of Elkhorn Boulevard and east of State Route (SR) 99. Our comments are as follows:

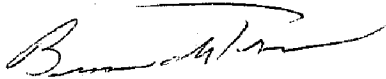
- o A Traffic Impact Study (TIS) should be completed and include an analysis of impacts to the State Highway System. The TIS should include the SR 99/Elkhorn interchange, at a minimum. The TIS should consider all possible traffic impacts to all ramps, ramp intersections, and mainline segments. The "Guide for Preparation of Traffic Impact Studies" can be found on our website at: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/>. We would appreciate the opportunity to review the scope of the TIS before the Study begins.

Ms. Jennifer Matthews
June 15, 2007
Page 2

- o Once the TIS assesses the project's impacts to the State Highway System, appropriate mitigation should be based on the City of Sacramento's 1994 North Natomas Freeway-Related Improvements Study (aka the Kittleson Report). Any significant traffic impacts should be mitigated. Feasible mitigation measures are available such as proportional funding the Downtown/Natomas/Airport light rail extension's Meister Way overcrossing, SR 99/Elkhorn interchange improvements, ramp widening, ramp intersection improvements, signalization modification, or mainline highway improvements.

If you have any questions about these comments please contact Alyssa Begley at (916) 274-0635.

Sincerely,



BRUCE DE TERRA, Chief
Office of Transportation Planning—South

cc: Taiwo Jaiyeoba, Regional Transit
State Clearinghouse

Attachment 5 – Correspondence from Heritage Park residents

Ann L. Kane
170 Mill Valley Circle
Sacramento, CA 95835

9/18/2007

Jennifer Matthews
Planning Department
Re" Heritage Point Senior Condo's

It is deja vu all over again!

We bought a new home in Foothill Farms in early 60's,
There was a large field behind us, then about 13 or 14 years later a subdivision was
built with one and two story homes, right behind our home they put two, 2 story
houses. We felt violated. Our backyard was no longer inviting.
The loss of privacy was palpable!!!

I do not want to feel that again.

We, the Heritage Park owners were not notified in any way of how enormous the
project would be. In March 2007 we received a letter that asked us to vote either for
apartments or condominiums. I voted for the lesser of two evils, the condominiums.
I never saw a tentative map until late August 2007.

Please take into consideration that we are in a wretched situation.
We are stuck with whatever the Developer wants or the planning department lets
them do. Our input was never asked for. We do not want the condominium project
stopped; we just want the planning commission to hear our side of the project.

We need the planning department to delay or somehow get the owners of the
property to change this plan. Our well being, health or safety was not considered at
all!

Sincerely,

Ann Kane

From: Edna1130 <edna1130@sac.sticare.com>
To: <jmatthews@cityofsacramento.org>
Date: 9/17/2007 4:36:38 PM
Subject: Heritage Point Condominium Project

Jennifer: This is a copy of my presentation which I will give to the Commission on October 11th. Please feel free to share it with them
Edna Scott

TO: Planning Commission, City of Sacramento

Members of the Commission:

I am Edna Scott and I live at 190 Mill Valley Circle North, directly on the western boundary of the proposed Heritage Point Condominium Project. I appreciate the opportunity to respond to the design of the proposed property. My son-in-law is an architect who has designed similar projects, and he has given me some information for this presentation.

While I do not take objection with the type of project, I feel that project has not properly addressed the concerns of our neighborhood.

The proposed land plan has kept the road next to our rear yards providing for a high volume of incoming and outgoing traffic and also allowing parking against the wall adjacent to our rear yards. This turns an area allowing for proper landscaping of trees and shrubs into a parking lot where cars will be parking with lights shining, as well as the noise and fumes of cars starting up, directly infringing into our living and sleeping rooms and our rear yards. In addition the cars are so close to the wall that individuals can easily jump the wall and get into our yards which becomes a security issue to our gated senior community.

The proposed project is a senior project. If the developer were to do a proper study of the needs of his buyer, he would find that the project is overloaded with unnecessary parking areas; senior projects typically use half of the parking requirements of other type apartments. It is possible that by decreasing the parking count, not only could he obtain more units, but he could allow more common area landscaping against the rear yards of our neighborhood.

Secondly, Building H is a three story monstrosity, absolutely overpowering the privacy of our adjacent community. I feel it is not only necessary to decrease the height of the building to a one story building, but increase the landscape buffer to the adjacent homes for privacy. The reduction in size of this building would still allow for a minimum number of units as required by law.

In trying to resolve our concerns, I feel the issues we have brought forth can be mitigated without loss of value to the developer. It is my understanding that proper design can also create value as well as solving the issues.

We are impacted by the design of this project that creates a negative and detrimental environment that we cannot and will not tolerate. We will lose not only the privacy and the use of both our outdoor and indoor spaces, but also loss property value and marketability of our homes. It is nice the developer was thinking about the needs of his project, but simultaneously, he needs to be considerate and obligatory to his adjacent neighbors.

I would invite any of you, including the developer to visit our rear yards to vision this intrusion to our privacy rights.

Thank you for your attention.

Attachment 6 – Developer’s conversations with neighbors

Page 1 of 1

Jennifer Matthews - Conversations with Neighbors

From: <rcolton@seastar-inc.com>
To: Jennifer Matthews <JMatthews@cityofsacramento.org>
Date: 9/27/2007 10:02 AM
Subject: Conversations with Neighbors
CC: Brad Shirhall <bshirhall@tla-inc.com>, John Musial <jfinusial@aol.com>

Jennifer,

John had several conversations with immediately adjacent neighbors prior to the community forum on the 24th. These included limited phone conversations with the Friend's, Rosie and Edna Scott. There was also an email exchange with Williams. The consistent message from our end was to express a willingness to listen, trying to distill concerns into realistic expectations, and encouragement to participate in the scheduled meeting. John offered to meet neighbors at either a restaurant or one of their homes, prior to the community forum, but the neighbors were unsuccessful in finding a time that worked for all.

Thanks for all of your help.

Ron Colton

Seastar Communities
Northern California Division

1828 Tribute Road, Ste. M
Sacramento, CA 95815-4310

(916) 649-9400 Office
(916) 649-9500 Fax
(702) 561-8579 Cell

Attachment 7 - Correspondence from Heritage Park Legal Council and Geoff Browne Community Manager, VierraMoore, Inc.

Jennifer Matthews - RE: Need your help re Templeton

Page 1

From: "Jennifer M. Jacobsen" <jjacobsen@stein-bay.com>
To: "Michael Pettis" <mpettis@ulink.net>, "Geoff Browne" <gbrowne@vierramoore.com>
Date: 9/24/2007 11:45:51 AM
Subject: RE: Need your help re Templeton

Dear Ms. Matthews: Our office serves as general counsel to Heritage Park Owners Association. Heritage Park was developed as part of a Master Planned Community. It was tied to a set of Conditions, Covenants and Restrictions (the "Templeton CC&Rs") that also cover the land parcels on Natomas Boulevard which have been zoned for the development of other residential uses, including multi-family uses (apartments, assisted living and congregate care facilities). The Templeton CC&Rs require that the members of the Heritage Park Owners Association vote on and approve any changes to the Templeton CC&Rs.

In 2006, Heritage Park Owners Association was approached by the owner of two of the undeveloped parcels along Natomas Boulevard that were originally planned to be developed into assisted-living/congregate care facilities. The owner, Templeton Development Corporation, also developed and built the Carefree Natomas apartments that are adjacent to Heritage Park. At that time, Templeton was not planning to develop the assisted-living/congregate care facilities on the corner of Natomas Boulevard and Rose Arbor Drive as efforts to market the site as such had been unsuccessful. Templeton wanted the option of developing an age-restricted condominium project on the site instead. Therefore, Templeton and its legal counsel funded the taking of a vote of the members within Heritage Park to approve an amendment to the Templeton CC&Rs to remove a restriction which requires the parcels be developed as "for-rent" residential units. That amendment was approved by the Heritage Park membership in 2006, permitting the parcels be permitted to be developed as "for-sale" residential units designed for housing seniors. The text of the amendment is attached hereto so you can view for yourself what the members approved.

To our knowledge, the membership has not been asked to make any further approvals for development on the adjacent property including, but not limited to, any plans that have been proposed by John Musial and or Seastar.

Jennifer M. Jacobsen
Stein & Baydaline, LLP
895 University Avenue
Sacramento, CA 95825
(916) 669-3500, ext. 206 (phone)
(916) 669-3501 (fax)
jjacobsen@stein-bay.com (email)

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message in error, please advise the sender by reply e-mail to jjacobsen@stein-bay.com, and delete the message. Thank you.

From: Michael Pettis [mailto:mpettis@ulink.net]
Sent: Monday, September 24, 2007 10:37 AM
To: Jennifer M. Jacobsen; Geoff Browne
Cc: Jennifer Matthews
Subject: Need your help re Templeton

Jennifer & Geoff ...

As I think both of you know, the development project on the former Templeton property at the corner of Natomas Blvd and Rose Arbor, immediately east of Heritage Park, is moving forward. Unfortunately the developer, John Musial of Seastar, has a somewhat expanded view of the history that led to his being able to purchase this land for his development.

He has asserted at least twice, once in writing and again in front of the City Planning Commission, that the Heritage Park Board has "approved this project." This is in spite of our reminding him that the only thing the Board approved was a vote of our Owners to allow for-sale product on the site. Unfortunately, his statement in front of the Planning Commission puts his error on record as fact.

In order to put the record straight I am asking each of you to e-mail Jennifer Matthews of the City Planning Staff with your best recollection of what actually happened last year when we agreed to hold the Templeton vote. As our Attorney and Association Manager at the time of the vote you were very involved in the entire process, and your written response will be added to the package presented to the Planning Commission prior to their hearing on this project early in October.

In order to be included in the package for the Commission your comments need to be in to Planning this Wednesday at the very latest, so please try to respond to Jennifer at the above e-mail address as soon as you can.

Thank You

Mike Pettis

CC: "Jennifer Matthews" <JMatthews@cityofsacramento.org>

Jennifer Matthews - RE: Need your help re Templeton

Page 1

From: "Geoff Browne" <gbrowne@vierramoore.com>
To: "Jennifer Matthews" <JMatthews@cityofsacramento.org>
Date: 9/25/2007 9:57:26 AM
Subject: RE: Need your help re Templeton

Dear Ms. Matthews:

I am writing to clarify an issue that has recently come to my attention regarding the Heritage at Natomas Park Master Planned Community. First, let me state that I concur with the recent e-mail of 9/24/07 from Jennifer Jacobsen, the Association's legal counsel at the time of the Amendment. In March of 2006 I served the Heritage Park Owners Association as Community Association Manager and worked closely with the members and Board of Directors to amend a set of Conditions, Covenants and Restrictions (the "Templeton CC&Rs") that related the Association to land parcels within the Master plan along Natomas Boulevard. In order to amend those CC&Rs to allow the owner of the parcels to develop them as "for sale" units, a vote of the members of our Association was required. An Amendment was drawn up and a memo sent to all of the members of the Association outlining the purpose and reasons for the amendment. As the Amendment, which I understand you have received, makes clear, the members were asked to vote on amending the documents to allow "for-sale" units to be built on those parcels encumbered by the CC&Rs. The overwhelming answer was yes, but no approval regarding any specific project was asked or answered in this ballot. The Board was very specific in their request to the original owners (Templeton) to have a solid dialogue regarding the design and planning of any project that might be constructed on the parcels but never, to my knowledge, gave any approvals verbally or in writing to any plan, design or proposals.

Geoff Browne
Community Manager
VierraMoore, Inc
(916) 925-9000

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If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

-----Original Message-----

From: Michael Pettis [mailto:mpettis@ulink.net]
Sent: Monday, September 24, 2007 10:37 AM
To: Jennifer M. Jacobsen; Geoff Browne
Cc: Jennifer Matthews
Subject: Need your help re Templeton

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Thank You

Mike Pettis

CC: "Michael Pettis" <mpettis@ulink.net>, "Jennifer M. Jacobsen" <jjacobsen@stein-bay.com>

Exhibit - 1Q Parking Exhibit

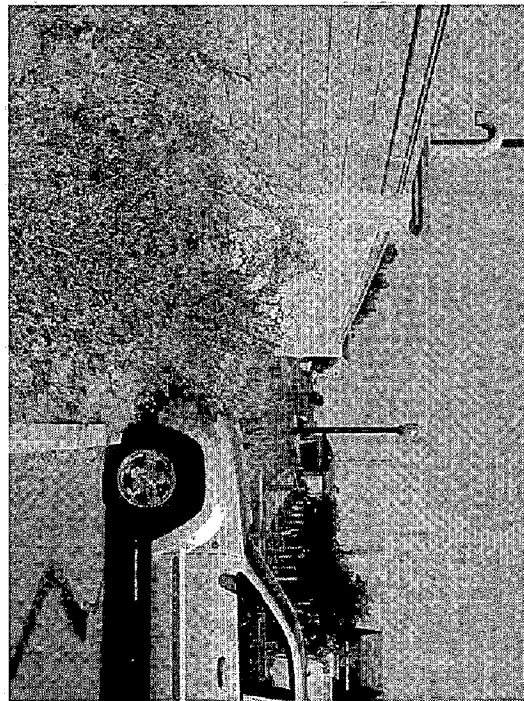
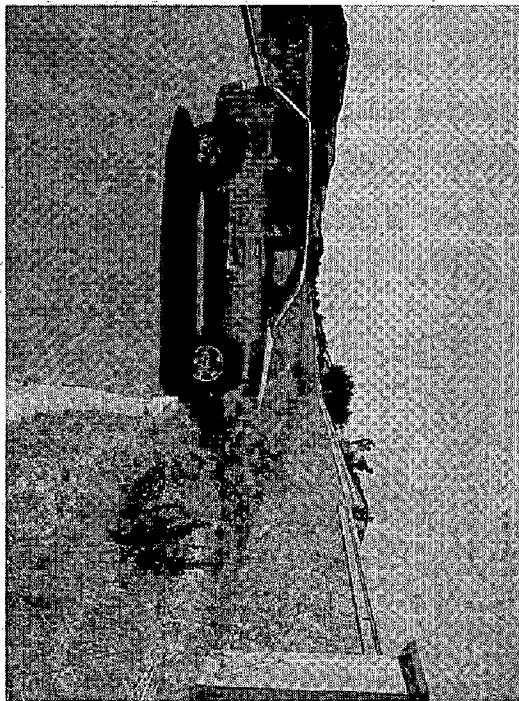
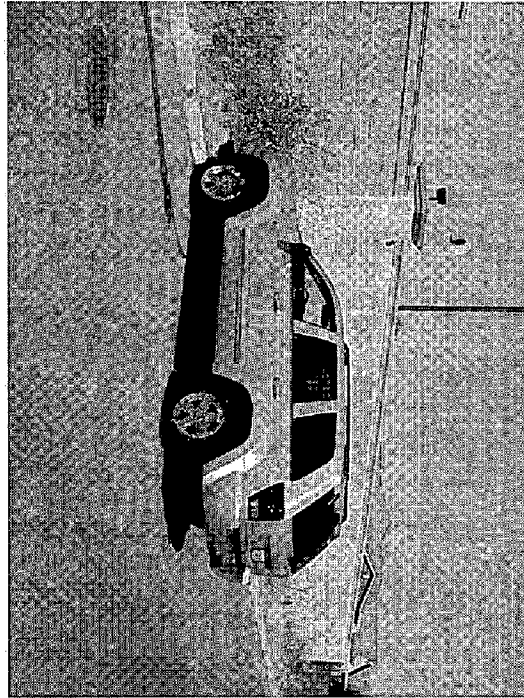
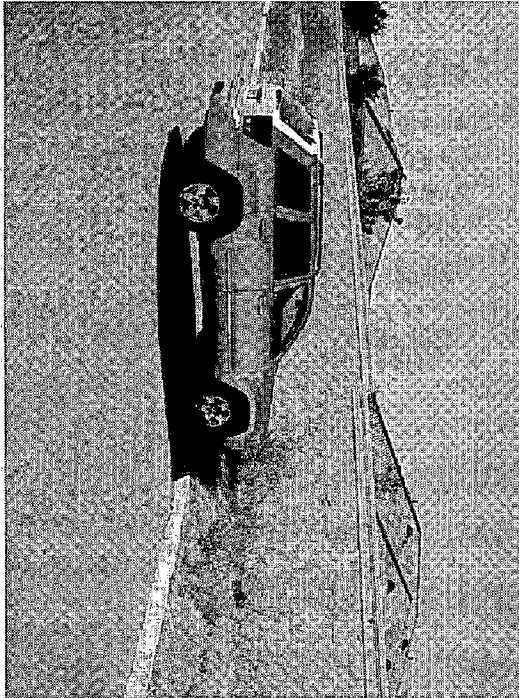
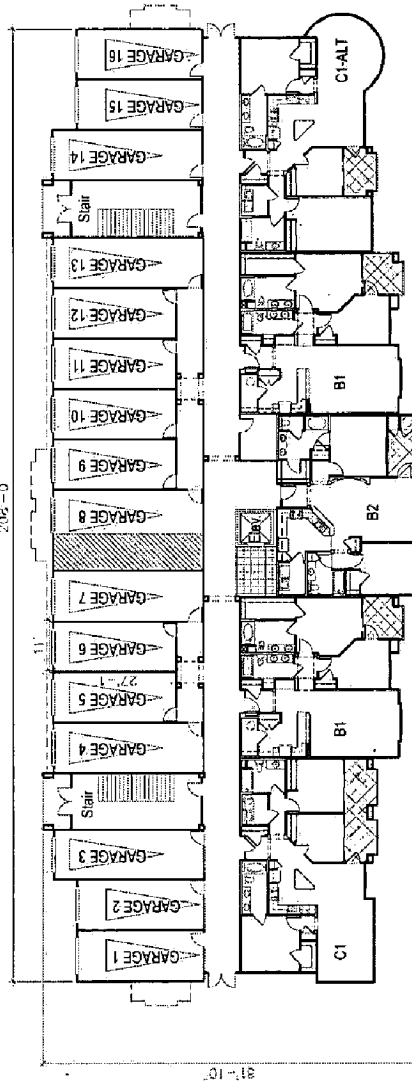
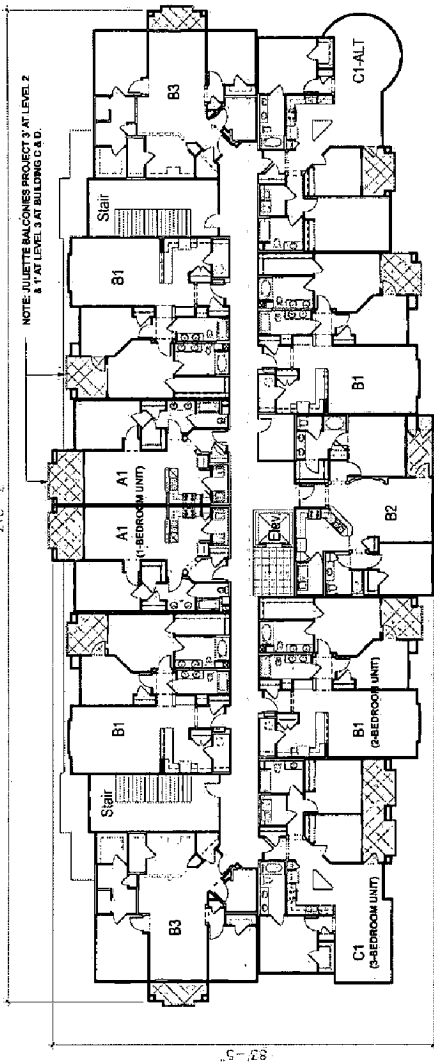


Exhibit 1R – Building Plans with Balcony Treatment

ACTIVE ADULT HOUSING



BUILDING PLAN - TYPE A



SCALE: 3/8" = 1'-0"

DATE: 10/2007

PROJECT: HERITAGE POINT

DESIGNER: SEASTAR COMMUNITIES

ARCHITECT: GARDNER & THEOBALD

3150 VAN KAMMAN AVE. SUITE 200, PLYMOUTH, CA 95662

916.385.1800 (T) 916.385.1800 (F)

ACTIVE ADULT HOUSING

SEASTAR COMMUNITIES

GARDNER & THEOBALD



Attachment – 8 email from Edna Scott dated 10/04/07

I understand that there will be a suggested change to the parking plan proposed at the October 11 meeting. The proposed seven feet of landscaping does not satisfy our needs. The difference from five to seven feet is nothing. We are impacted by this parking design. We will lose privacy and the use of both our outdoor and indoor spaces and it will impact our lifestyle. It is possible that by slightly decreasing the parking count, the developer could obtain more common area of landscaping against the rear yards of our neighborhood. He could allow a minimum of 15 feet, enough room for proper planting of trees and a communal walkway. Without having parking against the western parking boundary, car lights wouldn't enter our homes. The landscape buffer would provide for an enhanced entry within the developer's own project as well as create an amenity for his purchasers. There would still be room for parallel parking if it were needed.

I will present this viewpoint to the Planning Commission on October 11.

Edna Scott
190 Mill Valley Circle North



SACRAMENTO CITY PLANNING DIVISION
300 Richards Blvd., Third Floor, Sacramento, CA 95811
(916) 808-5656 x3

Application taken by: Judy Elias / Date: 03/02/07

Project Location: 5700 Natomas Blvd. & 5650 Natomas Blvd.
Assessor's Parcel No.: 201-0440-077 & 078
Owner: Moreno Beach Estates, LLC
Address: 1828 Tribute Rd, Suite M Sacramento, CA 95815
Applicant: TLA Engineering & Planning, Inc. c/o Brad Shirhall
Address: 1528 Eureka Rd. Suite 100 Roseville, CA 95661

**REQUESTED
ENTITLEMENT(S):**

- A. **Mitigated Negative Declaration:** Mitigation Monitoring Plan
- B. **Tentative Map:** to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (R-4-PUD) zone
- C. **Special Permit:** Residential for alternative ownership housing to develop 229 unit condominium units on approximately 9.62 acres in the Multi-Family (R-4-PUD) zone
- D. **Special Permit:** Other to allow a gated residential development in the Multi-Family (R-4-PUD) Zone

ACTIONS TAKEN: Items A-D Approved

Sent to Applicant: TLA Engineering & Planning, Inc. By: Sharon Shurtleff
Date: 1/22/2009
Customer Service Representative

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Original to Applicant
Copies: File & Permit Book

P07-035



Development Services
Department

CITY OF SACRAMENTO
CALIFORNIA

300 Richards Blvd., Third Floor
Sacramento, CA 95811
Phone: 916/808-5656 x3

Date: 01/22/2009

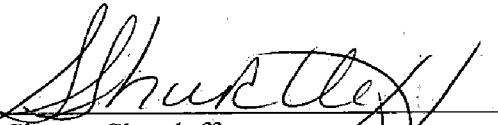
Sacramento County Assessor
Real Property Support
3701 Power Inn Road #3000
Sacramento, California 95826-4329

RE: 201-0440-077 & 201-0440-078

Pursuant to Section 65862 of the Government Code of the State of California, we are hereby notifying your office of the following action taken by the City of Sacramento with respect to the above-numbered property:

- A. **Tentative Map:** to merge two parcels into one and designate the parcel for condominium purposes in the Multi-Family (R-4-PUD) zone.
- B. **Special Permit:** Residential for alternative ownership housing to develop 229 unit condominium units on approximately 9.62 acres in the Multi-Family (R-4-PUD) zone
- C. **Special Permit:** Other to allow a gated residential development in the Multi-Family (R-4-PUD) Zone

Yours truly,


Sharon Shurtleff
Customer Service Representative

Cc: Moreno Beach Estates, LLC

As owner of record of the above mentioned property, you are hereby notified pursuant to Government Code Section 6863.5 that the County Assessor has been notified of the granting of a zoning change, variance, special permit or other action for your property.

P07-035