

REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street, Sacramento, CA 95814-2671

HEARING June 8, 2006

Honorable Members of the Planning Commission

Subject: Towers on Capitol Mall Project Modifications. A request to make minor modifications to the previously approved Towers on Capitol Mall project, located at 301 Capitol Mall. (P06-024)

P06-024: A. Environmental Determination: Supplemental Environmental Impact Report to Previous EIR, State Clearinghouse # 2004122137;

- B. Mitigation Monitoring Plan;
- **C.** Amend the Tentative Map Conditions of Approval related to The Towers project mitigation measures;
- **D.** Special Permit Modification to amend the highrise project known as The Towers on Capitol Mall, located at 301 Capitol Mall;
- E. Special Permit to allow tandem parking;
- F. Variance to reduce maneuvering width within the parking garage.

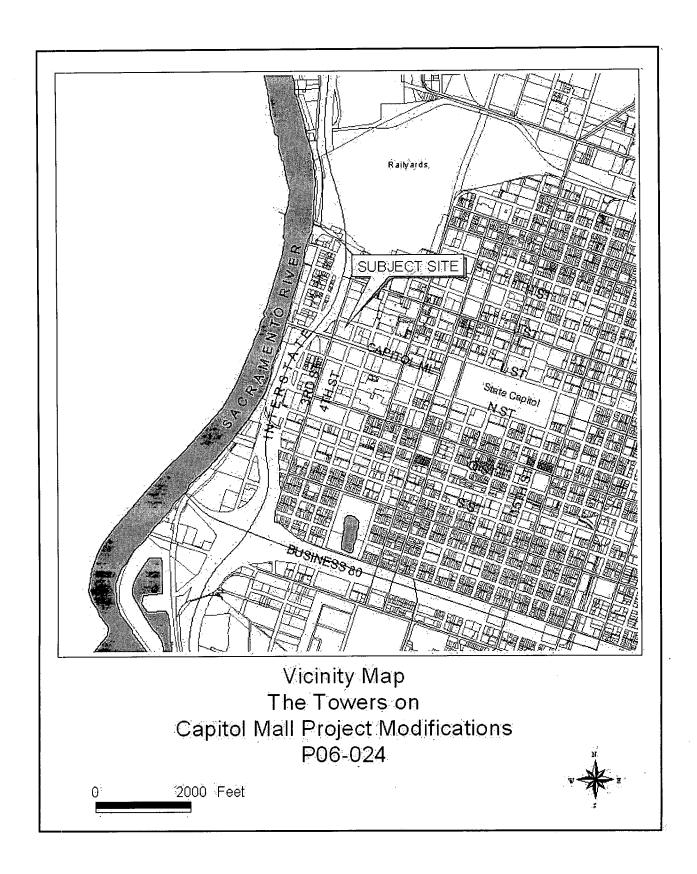
Location/Council District:

301 Capitol Mall, Sacramento, CA 95814

Assessor's Parcel Number 006-0141-043

Council District 1

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed on page 12. The Commission has final approval authority over items A-F of the entitlements. The Commission's action on items A-F is appealable to City Council.



Subject: Towers on Capitol Mall Project Modifications (P06-024)

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Applicant: Erik K. Klepp, 425-463-1363, MulvannyG2 Architecture

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Owner: John Saca, Saca Development, 916-920-0400, 77 Cadillac Drive,

Sacramento, CA 95825

Summary: This project was heard by the Planning Commission on May 25, 2006, and subsequently continued to the next Planning Commission hearing on June 8, 2006. The Planning Commission requested that additional information be provided by the applicant and staff in the following areas:

1. Provide a large-scale exhibit that focuses on the loading dock areas on both L Street and 4th Street. The exhibit should be dimensioned in order to demonstrate how maneuvering will be accomplished within the space and what size trucks might be expected to deliver at each dock;

2. Provide color exhibits that demonstrate both the "before" and the "after" of the ground floor (or podium) elevation of the building on both L Street and 4th Street. The exhibits should identify materials being used;

3. Provide a "birds-eye" exhibit (or a perspective) that demonstrates what is typically located between the curb and the building on 4th Street and on L Street, including landscaping, street furniture, the width and any special treatment of the pavement, the face of the building, any awnings, proposed signage, etc;

4. Traffic Engineering staff will be available at the hearing on June 8th to answer questions about the traffic counts and operations on 4th Street and on L Street.

Due to the quick turn-around time (two weeks) between the two Planning Commission hearings, the requested exhibits were not able to be prepared in time to be included in this staff report. The exhibit packages will be delivered separately to the Planning Commissioners several days in advance of the meeting and copies of the new exhibits will be made available to the public at the meeting or upon request.

The Towers on Capitol Mall project was approved by the City Planning Commission on August 25, 2005. The project consists of two, 53-story, mixed-use, high-rise towers with a common podium. The building will contain retail uses at the ground floor, up to 800 condominium units, a full-service hotel, a gym, spa, and an on-site parking garage. The 2.43 acre project site comprises the entire block between Capitol Mall and L Street, and 3rd and 4th Streets in downtown Sacramento. A four-story office building that use to occupy the site has been demolished as the property owner prepares the site for construction of The Towers project.

The applicant is requesting several minor revisions to the approved project related primarily to changes in the internal workings of the parking garage, the relocation of one of the loading dock areas from L Street to 4th Street, and the introduction of a valet service and turn-out location on 4th Street for the residents of Tower 2 (valet service will already be offered for Tower 1 residents via the hotel porte-cochere). The project before the Planning Commission this evening, if approved, will modify The Towers on Capitol Mall (P04-221) mitigation measures in anticipation of the City Council's consideration of the 3rd Street Conversion Project, within the next several months. Please see the "Environmental Considerations" section of this staff report for more discussion.

Several comment letters and cards were received regarding the project. The letters and comments are included in this staff report on page 27. Additional comment letters received during the public review period for the Supplemental Environmental Impact Report (SEIR) and staff's response are included with the attached Final SEIR. Staff supports the proposal and has no outstanding issues with this project.

Table 1: Project Information

General Plan designation: Regional Commercial and Offices

Central City Community Plan designation: Mixed Use

Existing zoning of site: C-3-SPD (Central Business District)

Existing use of site: vacant

Property area: 2.42 +/- net acres

Background Information: The project site is currently vacant. The building formerly occupied by the California Department of Toxic Substance control (also known as the Sacramento Union Building) was recently demolished on the site along with its surrounding surface parking lot.

The Towers on Capitol Mall project was approved by the Planning Commission on August 25, 2005 (P04-221). The project was approved by the Design Review Preservation Board on August 8, 2005 (DR04-309). The project entitlements included an Environmental Impact Report (EIR) and Mitigation Monitoring Plan, a Tentative Map to designate the parcel for condominium uses, and Special Permits for the condominiums, a major project over 75,000 square feet in the C-3-SPD zone, and the hotel.

Public/Neighborhood Outreach and Comments: Early project notification was sent out to all interested departments, agencies, and neighborhood/business organizations in the area within 500-feet of the project site. Several comment letters and cards were received regarding the project. The letters and comments are included in this staff report on page 27. A Notice of Preparation (NOP) for the environmental document was mailed to all interested departments, agencies, and neighborhood/business organizations in the area, in addition to adjacent property owners within 1000' of the

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project site for a period of thirty days, from February 10 through March 13, 2006. Comments were received and addressed within the text of the Draft SEIR.

Environmental Considerations: The environmental review of the proposed project modifications was considered along with a proposed conversion of 3rd Street, between L Street and Capitol Mall, to two-way traffic (see 3rd Street Conversion Exhibit, page 26). In accordance with CEQA Guidelines, Section 15081, Environmental Planning Services (EPS) determined that a Supplemental Environmental Impact Report (SEIR) should be prepared. The Draft SEIR identified significant Impacts for Transportation and Circulation. Mitigation measures were identified to reduce the project impacts to a less-than-significant level. A Mitigation Monitoring Plan (MMP) that lists the mitigation measures and required implementing actions was prepared and is attached on page 17.

The Draft SEIR was prepared and released for a forty-five (45) day public review period, established by the State Clearinghouse, beginning on Friday, March 31, 2006 and ending on Monday, May 15, 2006. A public notice was placed in the Sacramento Bee on March 31, 2006, which stated that the Draft SEIR was available for public review and comment. A public notice was posted with the Sacramento City Clerk's Office on March 31, 2006. A Notice of Availability (NOA) was distributed to all interested groups, organizations, and individuals on March 31, 2006 for the Draft SEIR. The NOA stated that the City of Sacramento had completed the Draft SEIR and that copies were available at the City of Sacramento, Development Services Department, North Natomas Permit Center, 2101 Arena Boulevard, Second Floor, Sacramento, CA 95834. The NOA also stated that the official forty-five day public review period for the Draft SEIR would end on Monday, May 15, 2006.

Comment letters on the Draft SEIR were received from Sacramento Regional County Sanitation District and Mark Sullivan at 455 Capitol Mall Complex. These comments were responded to within the Final SEIR.

Amendment to Previous Mitigation Measure: The conversion of 3rd Street to two-way traffic was considered with the previous environmental document for The Towers project (P04-221), but it was ultimately decided that the conversion would not be pursued at that time. Mitigation Measure 5.6-10 on the previous project states, "Retain the existing one-way operation on 3rd Street," to address the identified impact to traffic and circulation that could be caused by the conversion. It was acknowledged at that time that if the conversion of 3rd Street was to be brought forward at a later date, that additional traffic analysis and environmental review would be required. The current project further analyzed the conversion of 3rd Street and identified a traffic plan and mitigation that would reduce the impact of the conversion to a less than significant level. If approved, the current project will replace Mitigation Measure 5.6-10 with a new mitigation measure, listed on page 17. For a summary of the findings of the traffic study for the 3rd Street Conversion, please see the attachment on page 38 or the Final SEIR on page 75.

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Policy Considerations: The proposed modifications to the Towers on Capitol Mall project are consistent with the land use designation(s) and applicable policies of the General Plan and Central City Community Plan.

<u>Strategic Plan</u>- The proposed modifications to the project are consistent with the City's Strategic Plan goal to support the expansion of economic development throughout the city.

Project Discussion:

A request is being made for several modifications to the original Towers on Capitol Mall project (P04-221), approved by the Planning Commission on August 25, 2005. The modifications include:

1. <u>Amendment to the Tentative Map Conditions of Approval</u>- The Tentative Map conditions of approval for The Towers project (P04-221), require that the project comply with the adopted mitigation measures. However, due to the additional environmental analysis completed with the 3rd Street conversion, the condition will still apply, but Mitigation Measure 5.6-10 will be replaced with the new mitigation measure being proposed with the current project to address the conversion of 3rd Street to two-way traffic.

<u>Findings</u>- In evaluating the modification to the Tentative Map conditions of approval, the Planning Commission is required to make the following findings:

- A. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
- B. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The General Plan designation for the subject site is Community/ Neighborhood Commercial and Office:
- C. 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; and
- D. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

Staff finds that the proposed modifications to the Towers on Capitol Mall project, as conditioned, do not adversely impact traffic operations and circulation in the area of the project site. Granting the modifications will not be detrimental to the

public health, safety or welfare, nor will they result in the creation of a nuisance. The project changes discussed above are consistent with the General Plan and with the Central City Community Plan. Staff supports the proposed modifications.

2. <u>Special Permit Modification</u>- The applicant is requesting several changes to the Towers on Capitol Mall project that require a modification to the Special Permit that was approved for the original project in August 2005. For reference purposes, a copy of the conditions of approval for The Towers (P04-221) project, approved on August 25, 2005, are attached to this staff report on page 40. These modifications include:

<u>Loading Docks</u>- The basement of the building, originally planned to be used for loading and unloading space, has been removed and the applicant now proposes to use a ground floor level loading area on L Street and one on 4th Street to accommodate the loading/service needs of the building. The L Street façade of the building will remain unchanged and a loading dock area will be added on 4th Street.

L Street is considered to be a major street and maneuvering on major streets for loading purposes is not allowed by Title 18 of the City Code. City Code Section 18.08.060 states, "No commercial driveway or parking area will be designed to require a vehicle to back into, or out of, public right-of-way, except on minor local streets where the size or shape of the parcel is such that development would be precluded otherwise." The applicant is seeking a Variance from the City's Department of Transportation to allow maneuvering on L Street. A notice was sent out to all property owners within a 100-foot radius of the project site, informing them that the City was considering the Variance and that it would be deemed approved on May 12, 2006. The letter also stated that there is a 10-day appeal period during which the Transportation Director's decision may be appealed to the City Council. No appeal was received.

In order to avoid peak hour conflict, the Variance requires that deliveries to the L Street loading dock that require maneuvering in the public right-of-way are not allowed between 7am-9am, 11am-1pm, and 4pm-6pm. The L Street loading dock is designed such that moving vans and smaller delivery trucks, such as a UPS or Fed-Ex delivery truck can drive directly into the loading area, make a three point turn in the loading dock area, and exit directly back out onto L Street. Consequently, there will be no restriction as to the delivery hours of these smaller vehicles.

Similarly, the proposed 4th Street loading dock area will allow enough maneuvering area for moving vans and smaller delivery vehicles. The Variance requires that maneuvering within the public right-of-way will not be allowed between the hours of 4pm-6pm on 4th Street. Please see the project exhibit on page 18 for details about the loading dock and maneuvering areas.

The US Postal Service will have its own designated parking area on the 3rd floor of the parking garage for mail delivery, eliminating the need for the USPS to use the loading dock areas on a daily basis. Trash and recycling trucks must back into the loading areas for pick-up. The L Street loading area will handle the hotel's delivery needs, while the 4th Street loading area will concentrate more on the retail deliveries. Depending on the ultimate retail mix in the building, retail shops can expect to receive about one delivery per day, while a restaurant may receive three to four deliveries a day. Delivery times would be staggered to assure that trucks are not waiting to make deliveries. Overall, there may be between 10-20 deliveries to the 4th Street loading dock per day.

<u>Design Considerations</u>- The approved elevation on 4th Street will be revised in order to add a single loading dock area and driveway at the mid-block (see east elevation exhibit on page 21). Design Review staff reviewed the modification to the design and determined that the pedestrian level amenities and scale on 4th Street are maintained with the addition of the loading area. The dock area's solid gate will be closed when not in use and the single driveway will not engender a "back of house" feeling on 4th Street because of the presence of retail windows and doorways on either side of the proposed loading dock driveway.

<u>Valet Parking on 4th Street</u>- The applicant is proposing to locate a second valet location on 4th Street to service the residents of Tower 2 (located at the corner of 4th Street and Capitol Mall). There is currently a valet service located within the hotel porte-cochere on 3rd Street which will remain and will serve valet service entrance for hotel guests and Tower 1 residents. The exhibit on page 18 shows the proposed location of the 4th Street valet area, located close to Capitol Mall. Depending on the ultimate operations of the building, the applicant has indicated that the turnout area on 4th Street may only be used for passenger drop-off/pick-up only, with no valet services provided.

<u>Findings</u>- In evaluating this Special Permit Modification, the Planning Commission is required to make the following findings:

- A. Sound Principles of Land Use. A special permit shall be granted upon sound principles of land use.
- B. Not Injurious. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.
- C. Must Relate to a Plan. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

Staff finds that the proposed modifications to the Towers on Capitol Mall project, as conditioned, do not adversely impact traffic operations and circulation in the area of the project site. Granting the modifications will not be detrimental to the public health, safety or welfare, nor will they result in the creation of a nuisance.

The project changes discussed above are consistent with the General Plan and with the Central City Community Plan. Staff supports the proposed modifications.

3. Special Permit to Allow Tandem Parking- The on-site parking levels within the building will be reserved for residents, hotel guests, and those visitors to the Towers on Capitol Mall building that wish to have their vehicle valet parked. Individuals will not be able to park their own car within the building unless they are a resident (and in this case the parking spaces will be assigned). All hotel parking will be valet parking only.

2A level

The applicant proposes a mix of single parking stalls and tandem parking on all levels of the parking garage. There is an exhibit on page 19 of this report that demonstrates a typical parking level floor plan in the podium of the building (in this case, the 5th Floor of the podium). The inclusion of tandem parking will not inhibit the ability for each residential unit to be assigned a parking space (and perhaps more than one space depending on the needs of the resident).

In evaluating this Special Permit, the Planning Commission is required to make the same findings as stated above for the Special Permit Modification. Staff supports the request for tandem parking in this highrise development as a way to provide more efficient use of the parking spaces within the garage for building residents and hotel guests. Granting the Special Permit for tandem parking will not be detrimental to the public health, safety or welfare, nor will it result in the creation of a nuisance, as adequate circulation is provided with the parking garage and will not affect on-street traffic operations. Granting the Special Permit is consistent with the General Plan and with the Central City Community Plan.

Parking Summary- The proposed parking modifications, including the reduction in maneuvering width discussed in the following section, and the inclusion of tandem and compact spaces, will result in more parking spaces within the parking garage than were approved with the original project Special Permit. With the original project, approximately 1,100 parking spaces were proposed. With the current modifications in place, the total parking count within the parking garage will be approximately 1,249 spaces, important to the overall operations of the project. The number of parking spaces being included within the project is consistent with City Code requirements. A summary of the distribution of these parking spaces was provided by the applicant and is included as an exhibit on page 22.

4. Variance to Reduce Maneuvering Width- The project proposes a reduction in the required maneuvering width within the parking garage drive aisles from 26-feet to 24-feet. Development Engineering and Finance (DEF) staff has reviewed the proposal and determined that the reduced maneuvering width provides adequate circulation within the parking garage and will not affect on-street traffic operations. Staff supports the request to reduce the maneuvering width.

CPC bevil In evaluating this Variance, the Planning Commission is required to make the following findings:

- A. The variance is not a special privilege extended to one individual property owner. The variance would be appropriate for other property owners facing similar circumstances;
- B. The proposed variance is not a use variance since parking for residential mixed use projects is permitted in the C-3-SPD zone;
- C. The variance will not be injurious to the public welfare, nor to the property in the vicinity of the project in that reducing maneuvering area will maximize parking for a residential, mixed use infill project and will not affect on-street traffic operations; and
- D. The proposed variance will not adversely affect the General Plan or the Central City Community Plan since the project endorses plans and policies for development of housing within the Central City.

Staff supports the Variance to reduce maneuvering width within the parking garage in order to make more efficient use of the on-site parking garage while retaining adequate circulation and maneuvering area for valet parking and residents.

Building design, signage and landscaping

All modifications to The Towers on Capitol Mall project that result in a change to the exterior of the building are being reviewed and approved by Design Review staff as they are submitted. The original project approval (P04-221) requires that sign package be reviewed and approved by staff prior to a sign permit being issued. No sign package has been submitted to date.

Respectfully submitted by: Atron Corpore
STACIA COSGROVE

Process Manager

Subject: Towers on Capitol Mall Project Modifications (P06-024)

June 8, 2006

Recommendation Approved:

Flume Orleran JEANNE CORCORAN

Senior Planner

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3rd Street Conversion Exhibit- Project Site Plan

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Conditions of Approval for The Towers on Capitol Mall project (P04-221) Mitigation Monitoring Plan for The Towers on Capitol Mall project (P04-221)

Pg 63 Pg 75 Final Supplemental Environmental Impact Report

Recommended Findings and Conditions- Towers on Capitol Mall Project Modifications (P06-204)

Findings Of Fact

- A. Environmental Determination: The Supplemental Environmental Impact Report (SEIR) is certified and the Findings of Fact are adopted for the proposed Towers on Capitol Mall Project Modifications (P06-024) based on the following findings of fact:
 - 1. The Planning Commission finds that the SEIR for the Towers on Capitol Mall Project Modifications (P06-024) which consists of the Draft SEIR, and Final SEIR (Response to Comments) and Appendices, has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures;
 - 2. The Planning Commission certifies that the SEIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Supplemental Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures;
 - 3. The Planning Commission certifies that the SEIR has been presented to it and that the Planning Commission has reviewed it and considered the information contained therein prior to acting on the proposed project;
 - 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Towers on Capitol Mall Project Modifications (P06-024), the Planning Commission hereby adopts the attached Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented.
- **B. Mitigation Monitoring Plan:** The Mitigation Monitoring Plan (Page 17) is approved based upon the following findings of fact:
 - 1. One or more mitigation measures have been added to the above-identified project;
 - 2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached on Page 17;
 - 3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and

- 4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the plan.
- **C.** The Amendment to the Tentative Map Conditions of Approval related to The Towers project mitigation measures is approved subject to the following Findings of Fact and Conditions of Approval:
 - 1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
 - 2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The General Plan designation for the subject site is Regional Commercial and Offices;
 - 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; and
 - 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
- **D.** The **Special Permit Modification** to amend the highrise project known as The Towers on Capitol Mall, located at 301 Capitol Mall is approved subject to the following Findings of Fact and Conditions of Approval:
 - The project is based on sound principles of land use in that the proposed modifications will not adversely affect the peace and general welfare of the surrounding neighborhood;
 - 2. The proposed project modifications will not be detrimental to the public health, safety, and welfare nor result in a public nuisance in that the internal workings of the parking garage will not affect on-street parking operations, and use of the loading dock areas is conditioned to minimize impact to on-street operations and adjacent properties;
 - 3. The proposed modifications are consistent with the objectives of the City of Sacramento General Plan and Central City Community Plan, and the requirements of the Central Business District zone.
- **E.** The **Special Permit** to allow tandem parking is approved subject to the following Findings of Fact and Conditions of Approval:

- 1. The request to allow tandem parking is based on sound principles of land use in that it will not adversely affect the peace and general welfare of the surrounding neighborhood because all tandem parking will take place entirely within the building and the parking garage is designed to accommodate the needs of the building residents and the hotel;
- 2. The tandem parking will not be detrimental to the public health, safety and welfare nor result in the creation of a public nuisance in that the internal workings of the parking garage will not adversely impact on-street parking operations;
- 3. The proposed project is consistent with the objectives of the City of Sacramento General Plan, Central City Community Plan, and the requirements of the Central Business District.
- **F.** The **Variance** to reduce maneuvering width within the parking garage is approved subject to the following Findings of Fact and Conditions of Approval:
 - 1. The variance is not a special privilege extended to one individual property owner. The variance would be appropriate for other property owners facing similar circumstances;
 - 2. The proposed variance is not a use variance since parking for residential mixed use projects is permitted in the Central Business District (C-3-SPD) zone;
 - The variance will not be injurious to the public welfare, nor to the property in the vicinity of the project in that reducing maneuvering area will maximize parking for a residential highrise project and will not affect onstreet traffic operations; and
 - 4. The proposed variance will not adversely affect the General Plan or the Central City Community Plan since the project endorses plans and policies for development of housing and mixed use projects within the Central City.

Conditions Of Approval

- C. The Amendment to the Tentative Map Conditions of Approval related to The Towers project mitigation measures is approved subject to the following conditions:
 - C1. Condition C2. of the adopted Tentative Map for the Towers on Capitol Mall project (P04-221) shall be amended to read as follows: "Comply with

requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P04-221 and P06-024). Mitigation measure 5.6-10 (P04-221) shall be replaced with mitigation measure 4.3 (P06-024)."

- D. The **Special Permit Modification** to amend the highrise project known as The Towers on Capitol Mall, located at 301 Capitol Mall is hereby approved subject to the following conditions:
 - D1. The applicant shall obtain all necessary building permits prior to construction.
 - D2. The project shall comply with the Planning Commission conditions of approval for file number P04-221, with the exception of site plan and elevations shown on pages 18-23, as modified by this report. Any additional modification to the project shall be subject to review and approval by the Planning Director prior to the issuance of building permits.
 - D3. Condition D-G3. of the adopted Special Permit for the Towers on Capitol Mall project (P04-221) shall be amended to read as follows: "Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P04-221 and P06-024). Mitigation measure 5.6-10 (P04-221) shall be replaced with mitigation measure 4.3 (P06-024)."
 - D4. The applicant shall comply with all Design Review conditions of approval (DR04-309).

Utilities

D5. All existing maintenance holes, valve boxes and other utility access locations shall be protected and access shall be maintained to the satisfaction of the Department of Utilities.

Advisory Comments:

A. PG&E owns and operates gas transmission facilities which are located along 3rd Street. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission

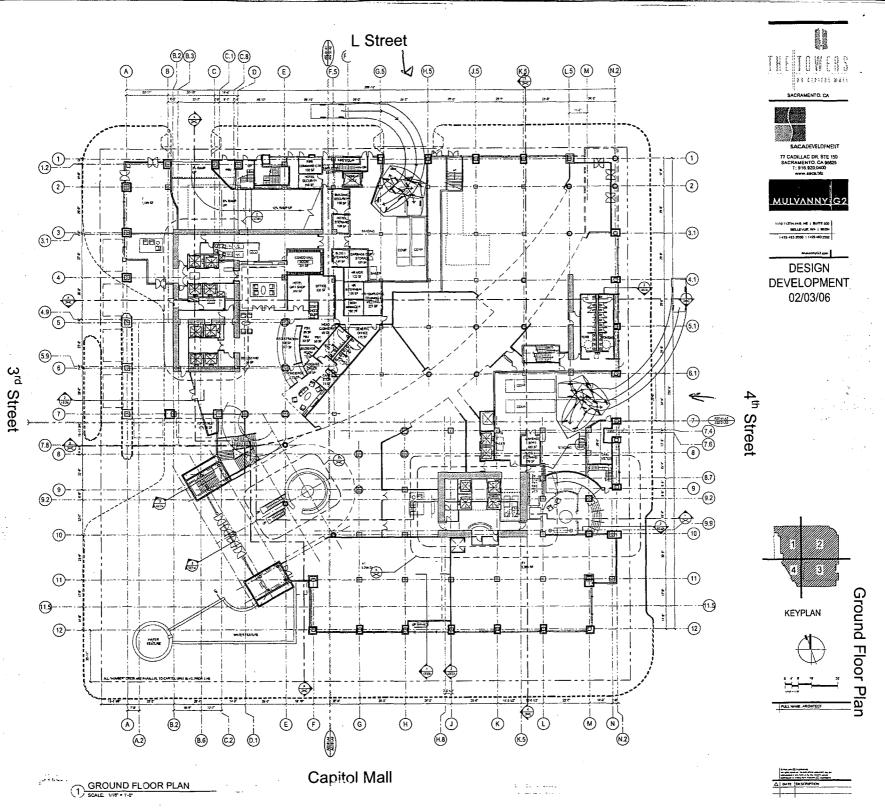
(CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

- E. The **Special Permit** to allow tandem parking is hereby approved subject to the following conditions:
 - E1. The tandem parking spaces shall be assigned to one residential unit; in no case shall the assigned parking for two separate units be fulfilled with the same tandem set of parking spaces.

Exhibits

Pg 18	Ground Floor Plan
Pg 19	Podium Plan- Floor 5
Pg 20	North/South Elevations
Pg 21	East West Elevations
Pg 22	Parking Summary (2006)
Pg 23	Exhibit Showing Proposed Reduction in Maneuvering Width

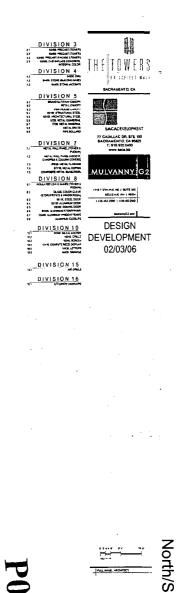
Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
4.3 The proposed project would exacerbate unacceptable operations at local intersections under Year 2025 Plus project Conditions	4.3 – If the two way conversion of 3 rd Street is approved by the City Council, the City shall monitor the operation of the traffic signal at 3rd Street and Capitol Mall and 3rd Street and N Street and retime the signals to conform to traffic demands as part of the City's Traffic Operation Center function and the applicant of P06-024 project shall pay a fair share fee to recover the costs for the Traffic Operation Center monitoring and retiming.	Applicant	City of Sacramento, Development Services Dept., Development Engineering and Department of Transportation		Prior to the occupancy of the first tower.	City of Sacramento, Development Services Dept., Development Engineering and Department of Transportation
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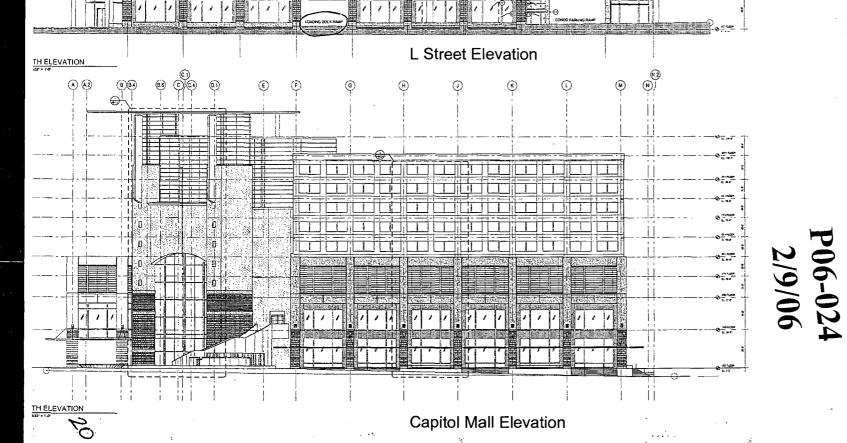
June 8, 2006

Podium Plan- Floor 5 4th Street **(2)**--9 **D**-(j)-Ŷ-(G)-Capitol Mall L Street (E)ш<u>-</u> (i)—— (i) **4** (E) (2) (\equiv) 3rd Street

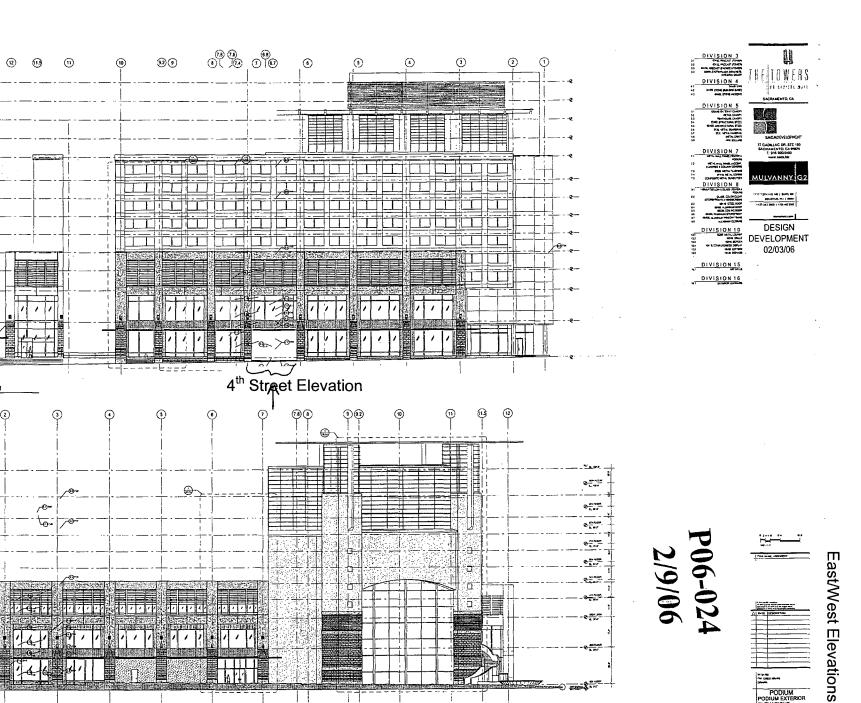


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P06-024 2/9/06

Parking Summary (2006)

2006 PARKING SUMMARY

UPDATED AS OF 1/24/06 JTD

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	Compact	Standard	Tandem	Tandem	Handicap	Total	Parking	Efficiency
Floor	Stall	Stall	Stall	Stall	Stall	Cars	Area	(SF per stall)
9th	44	99	14	25	4	186	#REF!	#REF!
8th	44	96	14	25	4	183	#REF!	#REF!
7th	44	96	14	25	4	183	#REF!	#REF!
6th	44	96	14	25	4	183	#REF!	#REF!
5th	44	96	14	25	4	183	#REF!	#REF!
4th	44	89	14	43	4	194	#REF!	#REF!
3rd	20	56	25	32	4	137	#REF!	#REF!
Parking Totals	284	628	109	200	28	1249	#REF!	#REF!
			30	09	,			

Type	No.	% Total
Total Compact	284	22.7%
Total Standard	628	50.3%
Total Strd Tandem	109	8.7%
Total Cmpct Tandem	200	16.0%
Total Handicap	28	2.2%
Parking Type Totals	1249	100.0%

Design Calculator	
Total parking spaces	1249
No. of Spaces Req'd (@ 1 per bed)	0
Surplus / Deficit parking	1249

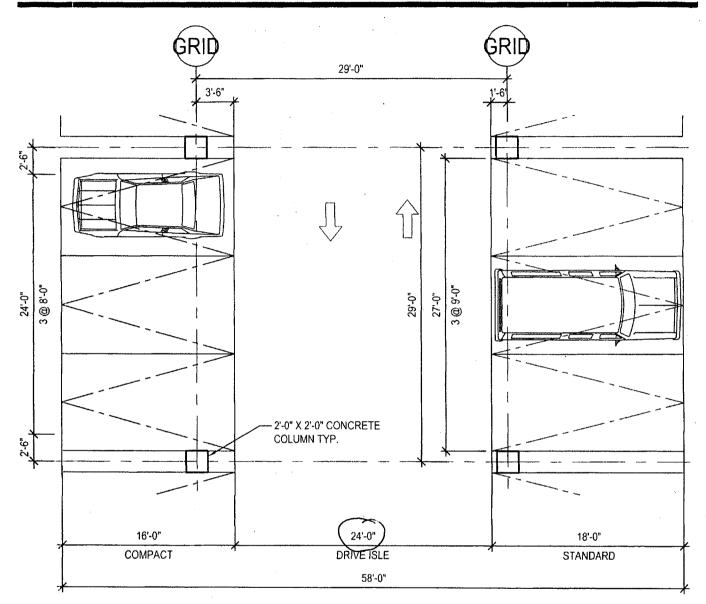
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Use	Parking R	Required	Parking Provided minus tandum stalls	Surplus stalls	
		# Units	Stalls Req		unum
Hotel	1 stall per 2 guest rooms =	227	113.5		
Condominium Units	1 stall per unit+1 guest stall per 15 units =	805	859		
		· · · · · · · · · · · · · · · · · · ·	972	940	-32

Subject: Towers on Capitol Mall Project Modifications (P06-024)

June 8, 2006

Exhibit Showing Proposed Reduction in Maneuvering Width



PROPOSED PARKING

P06-024 2/9/06

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TOWERS ON CAPITOL MALL

1/8" = 1'-0"

04-1217-02-07 PM: JTD 1/10/06

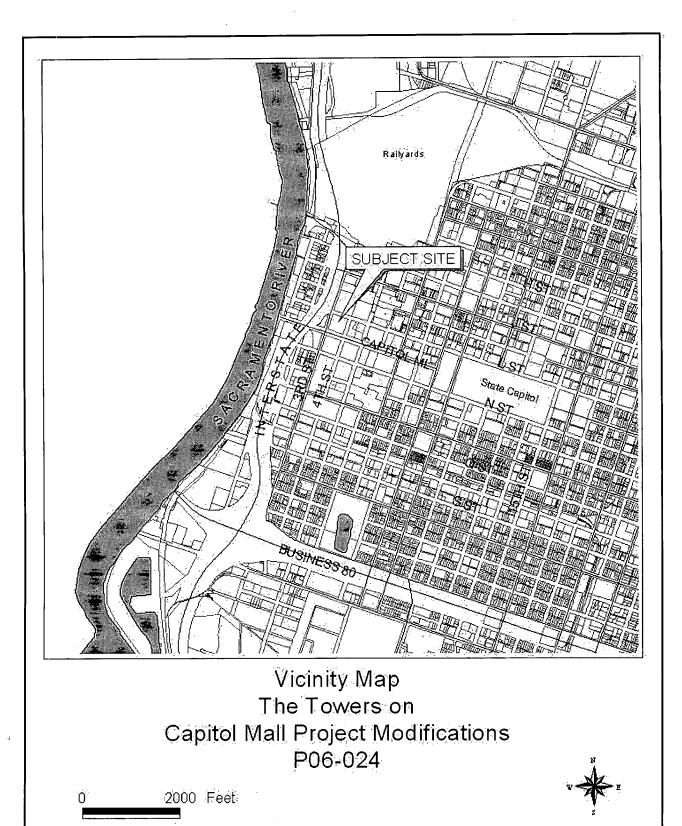
1110 112TH AVE. NE | SUITE 500 BELLEVUE, WA | 98004 t 425.463.2000 | f 425.463.2002

PROPOSED PARKING

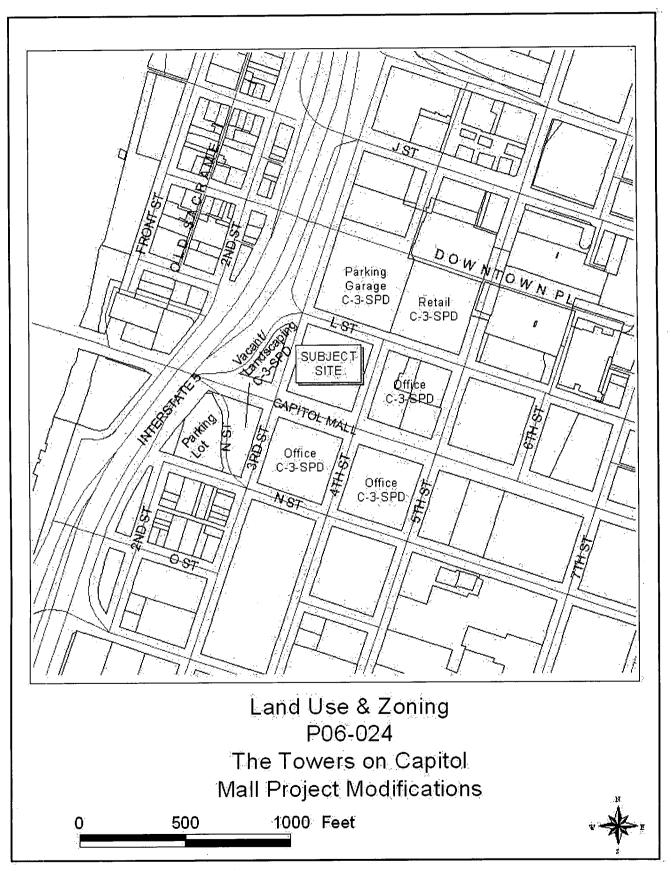
SK1

23

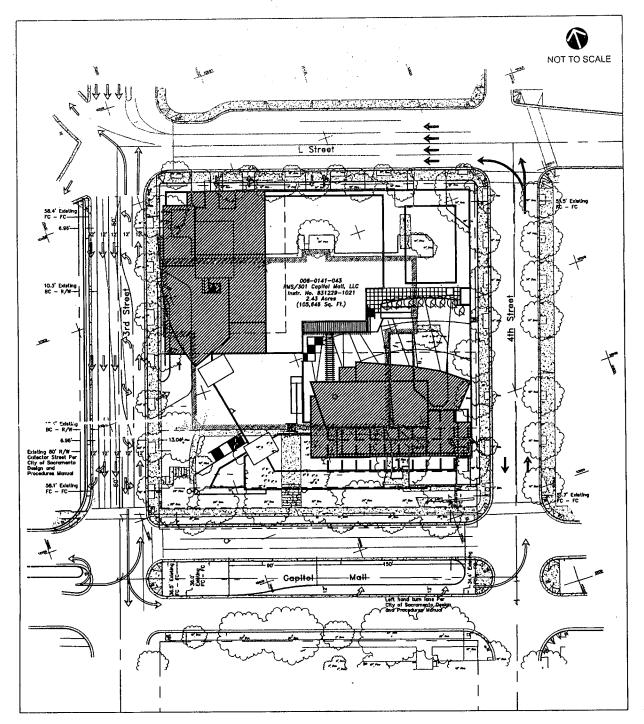
Vicinity Map



Land Use and Zoning Map



3rd Street Conversion Exhibit- Project Site Plan



PROJECT SITE PLAN

EXHIBIT 4-5

Subject: Towers on Capitol Mall Project Modifications (P06-024)

June 8, 2006

Public Comments Received During Notice of Preparation Period for SEIR

Neighborhood Association and Business Association Comments:

Comments were received from the Old Sacramento Business Association (March 16, 2006) and the letter is attached to this report (page 28). The Association favors two-way traffic on 3rd Street because it makes it easier for the public to get from Capitol Mall to Old Sacramento.

A comment card was received from the Central City Alliance of Neighborhoods (CCAN) (March 21, 2006), stating, "No opposition to this. All streets east of 16th Street should be converted to two way and most of Downtown too."

A comment card was received from the Southside Park Neighborhood Association (March 8, 2006) stating that the group has no comment on the projects.

A comment card was received from the Capitol Area R Street Association (March 1, 2006) stating, "Great idea! More streets should be 2-way."

A comment card was received from the Saratoga Homeowners Association (March 1, 2006) stating, "Looks fine! Modifying 3rd Street will definitely aide with traffic circulation."

Neighboring Property Owner and Agency Comments:

Please see the attached letters on pages 29-37. These comment letters were received in response to the issuance of a Notice of Preparation for the Supplemental Environmental Impact Report (SEIR) and were used to inform the preparation of that document.

There were two pieces of correspondence received during the public review period for the SEIR, and those letters as well as staff's response are included in the attached Final SEIR.

Subject: Towers on Capitol Mall Project Modifications (P06-024)



March 16, 2006

Ms. Stacia Cosgrove, Associate Planner City of Sacramento Development Services Department New City Hall 915 I Street, 3rd Floor Sacramento, California 95814

Dear Ms. Cosgrove:

The Old Sacramento Business Association, Inc. represents all the businesses in Old Sacramento. Its board has authorized me to communicate our position regarding the 3rd Street Conversion/Towers on Capitol Mall Project Modifications, project numbers P06-024 and M05-016.

We favor two-way traffic on 3rd Street between Capitol Mall and L Street, and eventually to I Street, with left turns permitted from eastbound Capitol Mall onto northbound 3rd Street. Such changes would make it easier for the public to get from Capitol Mall to our district. Presently the trip requires the visitor to go east all the way to Fifth Street.

Sincerely,

Steve Huffman
Executive Director

Copies to:

Lina Fat, President, Old Sacramento Business Association, Inc.

Ed Astone, Old Sacramento Town Manager

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

March 15, 2006

06SAC0032 03-SAC-275 PM 2.250 Towers at Capitol Mall/3rd Street Conversion Notice of Preparation for Draft Supplemental EIR SCH# 2006022052

Ms. Dana Allen City of Sacramento 915 I Street, 3rd Floor Sacramento, CA 95814

Dear Ms. Allen:

Thank you for the opportunity to comment on the Towers at Capitol Mall/3rd Street Conversion project's Notice of Preparation (NOP) for the draft supplemental Environmental Impact Report (EIR) and for accepting our comments after the deadline. A supplemental EIR is being prepared to include potential mitigation for the conversion of 3rd Street to two-way traffic between L Street and Capitol Mall. The Towers EIR was previously certified on August 3, 2005 and Caltrans had provided comments on that environmental document. The supplemental project application and this NOP are concurrently timed and these comments may be used for both documents. Our comments are below:

- o The conversion is not significantly different from what was analyzed in the prior Traffic Impact Study (TIS). Thus, we are not requesting a supplemental TIS.
- o Note that a meter will be installed on the I-5/L Street on-ramp by 2007.

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

c: Alyssa Begley

"Caltrans improves mobility across California"



10545 Armstrong Avenuo

Muther, CA 95655

Tele: [916] 376-6000

For: [916] 474-6160

Wabaisa: www.svcsd.com

Development Services Department Sacramento, CA 95834

Board of Directors Representing

County of Sacramento

County of Yolo

City of Citrus Heights

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacramento

City of West Sacramento

Robert E. Shanks District Engineer

Marcia Maurer Chief Financial Officer

Wendell H. Kido District Manager

Mary K. Snyder Collection Systems Manager

Stan R. Dean Plant Manager Dana Allen

City of Sacramento

2101 Arena Blvd., Second Floor

Subject: Notice Of Availability Of A Supplemental Environmental

Impact Report For The Towers on Capitol Mall And 3rd

March 6, 2006

E225,000

Street Conversion Project APN: 006-0141-043 Control No.: P04-221

Dear Ms. Allen,

County Sanitation District 1 (CSD-1) and Sacramento Regional County Sanitation District (SRCSD) have reviewed the Notice of Preparation (NOP) of the Environmental Impact Report (EIR) for the subject project. The project is within the boundary limits of SRCSD and the Urban Services Boundary (USB). The project is outside the boundary of CSD-1. SRCSD facilities do not exist within the project area and the master plan does not propose any projects within the area. Therefore, we do not foresee any impact to the SRCSD facilities.

If you have any questions regarding these comments, please call me at 876-6094.

Sincerely,

Wendy Haggard, P.E. Department of Water Quality

Development Services

WH:clm

Melenie Spahn

Amber Schalansky

Dave Ocenosak

allen030606.ltr



Sacramento Regional Transit District A Public Transit Agency and Equal Opportunity Employer

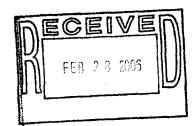
Mailing Address: P.O. Box 2110 Sacramento, CA 95812-2110

Administrative Office: 1400 29th Street Sacramento, CA 95816 (916) 321-2800 (29th St. Light Rall Station/ Bus 36,38,50,67,68)

Light Rail Office: 2700 Academy Way Sacramento, CA 95815 (916) 548-8400

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February 24, 2006

Dana Allen
Environmental Project Manager
City of Sacramento
Development Services Department
2101 Arena Blvd., Second Floor
Sacramento, CA 95824

NAME OF DEVELOPMENT: The Towers on Capitol Mall & 3rd St.

The Towers on Capital Mall project proposes two 53 story high-rise towers consisting of 85,000 square feet of retail, 800 condominium units, a 276 room hotel and other amenities.

Regional Transit (RT) provides abundant bus and light rail service to the area.

Regional Transit (RT) staff has reviewed the proposed project and recommends the following:

- 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.
- Transit information shall be displayed in a prominent location in the sales/rental office, through a homeowner's association, or with real estate transactions.
- Applicant shall join Sacramento TMA, prior to issuance of building permit, if appropriate.
- Parking competes with transit usage. Therefore, parking should not exceed the required standards for the Central City.
- RT staff is interested in engaging the developer in a discussion pertaining to its efforts in developing a streetcar starter line in the downtown Sacramento area.
- Local developer fees are anticipated to be an important part of the financing strategy for the construction and operation of the streetcar

Dana Allen

-2-

February 24, 2006

system. RT would like this development to provide a fair share of the local contribution to the streetcar program.

Thank you for the opportunity to review this project. If you have further questions regarding these recommendations, please contact me at (916) 556-0506 or dsmith@sacrt.com.

Sincerely,

Don Smith

Senior Planner

Taiwo Jaiyeoba, Director of Planning, RT Robert Hendrix, Facilities Supervisor, RT

OFFICE (916) 972-7000 FAX (916) 972-8708

Subject: Towers on Capitol Mall Project Modifications (P06-024)

500 CAPITOL MALL, LLC

7423 FAIR OAKS BOULEVARD, SUITE 10 CARMICHAEL, CALIFORNIA 95608-1797

FEB 2 4 2006

THE TSAKOPOULOS FAMILY TRUST ANGELO G. TSAKOPOULOS, ESQ. KATHERINE TSAKOPOULOS

February 23, 2006

Dana Allen, Senior Planner City of Sacramento **Development Services Department** 2101 Arena Blvd., Second Floor Sacramento, CA 95834

Re: Notice of Preparation of SEIR, Towers on Capitol Mall

Dear Dana:

In response to the NOP for the Supplemental EIR for the above project, I wanted to voice my concern of the proposal to convert 3rd Street between "L" Street and Capitol Mall into a two-way street. As you are aware, I have submitted an application for a high-rise office building at 500 Capitol Mall, and my project, as well as several others, are currently going through environmental review for the purpose of evaluating their respective environmental impacts, both individually and as a whole. The timing of this request to significantly alter the traffic patterns to the benefit of this one project, is inherently unfair to the rest of the applications since we may be forced to deal with the long term ramifications of the 3rd street conversion to two-way traffic. Since the prior EIR analysis determined that the conversion of 3rd Street was a potentially significant impact and the "mitigation" was avoidance, then the Towers on Capitol Mall should be required to develop consistent with the original EIR rather than be permitted to significantly impact the traffic patterns upon which other projects will be evaluated and required to mitigate for impacts.

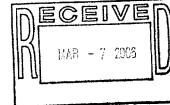
If you have any questions, please call me at (916)972-7000.

Very truly yours,

Angelo G. Tsakopoulos

cc: Greg Thatch, Esq.

Pacific Gas and Electric Company Land Services Office 343 Sacramento Street Auburn, CA 95603



Direct: (530) 889-5089 Fax: (530) 889-3392 Email: dlkn@pge.com



February 27, 2006

Dana Allen, Senior Planner City of Sacramento, Development Services Department 2101 Arena Boulevard, Second Floor Sacramento, CA 95834

RE: THE TOWERS ON CAPITOL MALL PROJECT NOTICE OF PREPARATION SCH # 2004122137

Dear City of Sacramento

PG&E has reviewed this project and has the following comments:

PG&E owns and operates gas transmission facilities which are located on the westerly portion within or adjacent to the proposed project boundaries. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project.

If you have any questions I may be contacted at (530) 889-5089 or dlkn@pge.com.

Sincerely,

Donald Kinnedy

Donald Kennedy

Land Agent

Subject: Towers on Capitol Mall Project Modifications (P06-024)

March 8, 2006

TO:

Dana Allen, Senior Planner

City of Sacramento, Development Services Department

2101 Arena Boulevard, Second Floor

Sacramento, CA 95834

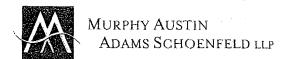
FROM:

Marcia G. Peterson 1500 4TH Street, Apt. 16 Sacramento, CA 95814-5309

SUBJECT: Third Street Conversion

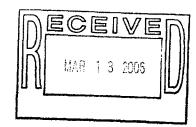
The conversion of third street from a one-way to a two-way would increase both the noise level and traffic congestion. Additionally, one block from the building site is Governor's Square which is home for many residents.

Please consider the impact that a two-way street would have on traffic congestion and noise level, and how these factors would impact residents living in that locale. Thank you.



KENNETH I. SCHUMAKER (916) 446-2300, EXT. 3091 kschumaker@murphyaustin.com

March 13, 2006



VIA FACSIMILE AND MAIL

Dana Allen Senior Planner City of Sacramento, Development Services Department 2101 Arena Blvd., Second Floor Sacramento, CA 95834

Notice of Preparation of a Supplemental Environmental Impact Report for the Towers on Capitol Mall and 3rd Street Conversion Project

Dear Ms. Allen:

Our law firm is writing on behalf of the ownership of 455 Capitol Mall Complex ("455 Ownership") in response to your "NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE TOWERS ON CAPITOL MALL AND 3RD STREET CONVERSION PROJECT" ("Notice"). This letter addresses the three different proposed changes to the original Environmental Impact Report ("EIR") raised in your Notice, including: 1) moving a loading dock for the Towers from L Street to 4th Street; 2) adding valet parking to 4th Street; and 3) converting 3rd Street from one-way to two-way traffic between Capitol Mall and L Streets.

The 455 Ownership formally objects to the moving of the loading dock from L Street to 4th Street, and the addition of valet service to 4th Street. Based on the limited information received to date (the Notice itself, and limited site maps), we understand that the loading dock and valet parking site will be located across the street from the parking garage and loading dock for the 455 Capitol Mall Complex on 4th Street. The 455 Ownership is concerned that the relocation of the Towers' loading dock, and the valet parking on 4th Street, will interject a significant amount of additional cars and trucks on 4th Street, and will cause significant traffic on an already narrow and busy street. The likelihood of trucks being unloaded and loaded at the same time for the 455 Capitol Mall Complex and the Towers presents a real quandary for regular automobile traffic. We are also unsure whether metered spots will be removed from 4th Street, and whether the street will be widened or reduced in width to accommodate the proposed changes.

Regarding these proposed changes, the 455 Ownership requests that the City provide to it all past, current, and future reports regarding the expected impacts on traffic, including all traffic studies. The 455 Ownership also requests that it be provided a hearing or hearings on these

2094.002-337433.1

Dana Allen March 13, 2006 Page 2

issues before any plan is approved. These proposed changes could have a significant impact on the operations of 455 Capitol Mall Complex, and the 455 Ownership is entitled to receive reasonable and timely notice of any additional action by the City to allow the ownership to fully evaluate, and comment on, the City's plans.

In regards to the 3rd Street conversion, the 455 Ownership needs to receive the traffic studies and other reports to enable it to evaluate the effect of the proposed conversion. Based on the Notice, it appears the City has not yet undertaken this formal analysis. If it has, we again request that the City provide any reports authored to date, and allow for a hearing on this issue before a plan is approved.

Please provide all reports and comments to Mark Sullivan, the Building Engineer for the 455 Capitol Mall project. He can be reached at: 455 Capitol Mall Complex, Suite 215, Sacramento, CA 95814-4405, fax number (916) 444-7117. We also request that courtesy copies of all notices, report, and other pertinent documents be provided to our office, with the communications directed to the attention of D. Michael Schoenfeld.

We appreciate your attention to this matter.

Very truly yours,

MURPHY AUSTIN ADAMS SCHOENFELD LLP

KENNETH I. SCHUMAKER

KIS/tpj

ce: D. Michael Schoenfeld

William R. Dawson

Mark Sullivan

2094.002-337433.1

Summary of Traffic Study Findings for 3rd Street Conversion

Summary of Findings-Conversion of 3rd Street

A conversion of 3rd Street to two-way traffic between L Street and Capitol Mall is currently under review and will be heard by the City Council in Summer 2006. The conversion of 3rd Street to two-way traffic improves access to the Towers on Capitol Mall project site as well as to the Downtown Plaza and J Street from Capitol Mall itself; eastbound drivers headed over the Tower bridge will be able to make a left turn at 3rd Street, rather than at 5th Street. Hotel visitors to the Towers project will be able to enter and exit the hotel porte-cochere via both north and south connections on 3rd Street, rather than having to circle the block to access and exit it via a southbound connection only. Departing hotel guests will have direct access to Interstate-5 via the L Street onramps. The request to convert 3rd Street will need to be approved by the City Council.

<u>Existing Conditions</u>- This section of 3rd Street is currently a one-way street with 3-lanes headed southbound toward the Tower Bridge. There in on-street parking on both sides of the street.

The entire length of 3rd Street from I Street to Broadway varies from a two- to three-lane, north-south roadway.

<u>Proposed Modification</u>- The segment of 3rd Street between L Street and Capitol Mall is proposed to be converted from one-way to two-way traffic; the street segment would be reconfigured to retain three southbound travel lanes and incorporate one northbound lane. Drivers headed east over the Tower Bridge would be able to make a left-hand turn at 3rd Street to access the hotel site at the Towers project or to continue to L Street or J Street.

<u>Potential Impacts of Conversion</u>- A traffic study was conducted in order to determine the potential impacts of the conversion of this block of 3rd Street on the transportation system near the 301 Capitol Mall project site. The impact analysis examined the roadway, transit, and bicycle/pedestrian components of the overall transportation system under near-term and cumulative (Year 2025) conditions with and without the proposed conversion.

Thirteen separate intersections were studied. For a complete list of these intersections, please see page 4-3 of the Transportation and Circulation section of the Supplemental EIR, included in this report on page 75. Traffic counts were collected during the AM (7:00-9:00) and PM (4:00-6:00) peak hours at each study intersection. Traffic volumes were used to determine the existing level of operation at each study intersection, with and without the proposed conversion, for both the near-term and for the Year 2025.

Table 4-14 and Table 4-15 of the Traffic and Circulation section of the environmental document (Page 75) show average seconds of delay per vehicle at each of the studied intersections, with and without the proposed conversion, and in the near-term and in the

June 8, 2006

Year 2025. The following thresholds were used to determine if a significant traffic impact has occurred:

- The addition of project-generated traffic causes a facility (i.e. the operations of the intersection) to change from Level of Services (LOS) A-C to LOS D-F; or
- The addition of project-generated traffic increases the average stopped delay by five seconds or more at an intersection <u>already</u> operating worse than LOS C

As shown on Table 4-15, the proposed conversion of 3rd Street would cause significant impacts at the following two intersections in the Year 2025 cumulative scenario:

- 3rd Street and Capitol Mall- Change in PM peak hour LOS from C to D;
- 3rd Street and N Street- More than 5 seconds of additional delay during the PM peak.

By adjusting the traffic signal timing on these two intersections to take into account traffic demands, the anticipated traffic impacts can be mitigated to a less-than-significant level. This mitigation is included in the attached Mitigation Monitoring Plan on page 17.

<u>Policy Considerations</u>- The Central City Community Plan recommends that 3rd Street be modified to be a two-way street between J Street and W Street. This includes the subject section of the 3rd Street roadway between L Street and Capitol Mall. (CCCP, pg. 34) Increased versatility in the transportation network downtown supports General Plan and Smart Growth goals by improving access to the Central Business District and promoting the successful development of mixed-use projects in the Central City. (GP, pg. I-36)

General Plan goals and policies for Central City transportation advocate improving the street circulation system in order to provide access to new development and improve access to the downtown core. (GP, pg. 5-19) Two-way streets generally improve access and visibility for businesses and the General Plan encourages continuing the City program of converting portions of the Central City into two way streets. (GP, 5-19)

Conditions of Approval for The Towers on Capitol Mall Project (P04-221)

Amended by Planning Commission and Staff on 8/25/05 ATTACHMENT 1 NOTICE OF DECISION AND FINDINGS OF FACT FOR THE TOWERS ON CAPITOL MALL, LOCATED AT 301 CAPITOL MALL, SACRAMENTO, CALIFORNIA, IN THE CENTRAL BUSINESS DISTRICT SPECIAL PLANNING DISTRICT (C-3-SPD) ZONE. (P04-221)

At the regular meeting of <u>August 25, 2005</u>, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination: Environmental Impact Report;
- B. Approved the Mitigation Monitoring Plan;
- C. Approved the Tentative Map to designate the parcel for condominium purposes;
- D. Approved the Special Permit to construct up to 800 condominium units in the C-3-SPD zone;
- E. Approved the Special Permit to construct a 276-unit hotel in the C-3-SPD zone;
- F. Approved the Special Permit for a Major Project over 75,000 gross square feet in the C-3-SPD zone;
- G. Approved the Special Permit for heliports for The Towers on Capitol Mall project.

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

FINDINGS OF FACT

A. <u>Environmental Determination:</u> The Environmental Impact Report (EIR) is certified and the Findings of Fact and Statements of Overriding Consideration are adopted for the proposed Towers on Capitol Mall project (P04-221) and are

based on the findings provided in Exhibit 1A.1 (Findings of Fact and Statement of Overriding Consideration) of this Notice of Decision.

- B. Mtitigation Monitoring Plan: The **Mitigation Monitoring Plan** (Exhibit 1A.2) is approved based upon the following findings of fact:
 - 1. One or more mitigation measures have been added to the above-identified project;
 - 2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1A.2;
 - 3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec. 21081.6; and
 - 4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the Plan.
- C. <u>Tentative Map</u>: The Tentative Map to designate the subject parcel for condominium purposes is hereby **approved** based upon 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;
 - The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The General Plan designation for the subject site is Community/ Neighborhood Commercial and Office;
 - 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; and
 - 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
- D-G. Special Permits to construct condominium units, to construct the hotel, for a Major Project, and to allow heliports: The **Special Permits** to construct up to 800 condominium units, to construct a 276-room hotel, for a Major Project over 75,000 square feet and to allow heliports are hereby **approved** based upon the following findings of fact:

- Granting the Special Permits is based upon sound principles of land use in that the proposed uses will not adversely affect the peace and general welfare of the surrounding neighborhood, since the building is designed to comply with setback and stepback requirements, supports transit usage, and the jobs/housing ratio;
- 2. Granting the Special Permits would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project will provide amenities to support the development, such as parking, heliports, and private open space; and
- 3. The proposed project is consistent with the proposed City of Sacramento General Plan and Central City Community Plan designations, and the requirements of the Central Business District zone.

CONDITIONS OF APPROVAL

C. The **Tentative Map** to designate the parcel for condominium purposes is hereby 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 (P04-221). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to 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 and Finance Division:

GENERAL: All Projects

- C1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- C2. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P04-221).
- C3. Show all continuing and proposed/required easements on the Final Map.
- C4. 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.

PUBLIC WORKS: Streets

- C5. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Improvements required shall be determined by the City. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter, sidewalk per City standards to the satisfaction of the Development Engineering and Finance Division.
- C6. The proposed project has significant unavoidable impacts on the freeway system that currently have no feasible mitigation and is therefore seeking an override. The City has been in communication with Caltrans, and Caltrans has agreed that in lieu of any fair share contribution to any existing funded Caltrans project they would be satisfied with the following requirement:

The applicant shall enter into an agreement with the City to pay a fair share contribution for a comprehensive downtown traffic analysis that will identify additional freeway related improvements. The study will take into account all recent and proposed development in the downtown area. The applicant must also agree to pay a fair share contribution for the improvements proposed by said analysis. The applicant must enter into the agreement prior to the recordation of the Final Map.

C6a) All off-site improvements shall comply with the Pedestrian Safety Guidelines to the satisfaction of the Department of Transportation.

CITY UTILITIES

- C7. Any new domestic water services shall be metered. A single domestic water service is allowed for the condominium units and a single domestic water service is allowed for the clubhouse and pool area. Excess services shall be abandoned to the satisfaction of the Department of Utilities.
- C8. The condominium units shall have a separate street tap for a metered domestic water service.
- C9. The project shall provide for sub-metering of all the condominium units consistent with the Utility Service Agreement. The sub-metering shall be to the satisfaction of the Department of Utilities.

- C10. The non-residential space such as hotel, retail/commercial, restaurant, gym, and spa shall have a separate street tap for a metered domestic water service.
- C11. Common area landscaping shall have a separate street tap for a metered irrigation service.
- C12. 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 project. The onsite water, sewer and storm drain systems shall be private systems maintained by the association.
- C13. 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.
- C14. Prior to recording the final map and prior to the initiation of water, sewer or drainage services to any airspace lot or the common lot, the various owners of such lots shall enter into an agreement authorizing one owner or an association of owners to obtain and pay for water, sewer and drainage facilities services for all lots, and such owner or association of owners shall enter into a separate agreement with the City to receive such utility services for all lots at points of service designated by the Department of Utilities (for example, the private water system serving each airspace lot and the common lot shall connect to the City's water system at a single point of service). Such separate agreement with the City shall provide for payment of all charges for the water, sewer and drainage services provided to all lots, shall authorize discontinuance of utility services to all lots 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, and shall be in a form approved by the City Attorney.
- C15. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
- C16. This project will disturb greater than 1 acre of property, 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 at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) signed certification page by property owner or authorized representative.

PPDD: Parks

- C17. The Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; and/or, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value" per acre of land as adopted by Sacramento City Council.
- C18. The <u>applicant must provide proof</u> they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district <u>prior to recording a Final (Parcel) Map</u>. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager).

ADVISORY NOTES:

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

A. This project is served by the Combined Sewer System (CSS). Therefore, impacts from the project to the CSS must be mitigated to the satisfaction of the Department of Utilities. If mitigation of impacts is not feasible, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of any building permit. The impact to the CSS due to 700 condominium units, 80,000 square feet of retail, 276 room hotel, 40,000 square feet of gym, and 10,000 square feet of spa is estimated to be 640 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$1,621,920 plus any increases to the fee due to inflation and credit for existing

sanitary sewer flows from the site. The fee will be used for improvements to the CSS.

- B. Many projects in the City of Sacramento require on site booster pumps for fire suppression and domestic water systems. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression system.
- C. The proposed project is located in the Flood zone designated as an **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 X zone, there are no requirements to elevate or flood proof.
- D. Foundation or basement dewatering discharges to the Foundation or basement dewatering discharges to the CSS and/or storm drainage system will not be allowed. The CSS and storm drainage system in the area does not have adequate capacity to allow for dewatering discharges for foundations or basements. Foundations and basements shall be designed without the need for dewatering.
- E. 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 not served by a regional water quality control facility and is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include on-site treatment control measures. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures and on-site treatment control measures.
- F. Parkland dedication (related to condition C17.) may include a floor of the building.
- D-G. The **Special Permits** to construct up to 800 condominium units, to construct a 276-room hotel, for a Major Project over 75,000 square feet and to allow heliports are hereby **approved** subject to the following conditions of approval:

General:

D-G1) The applicant shall obtain all necessary building permits prior to construction.

- D-G2) The project shall substantially conform to the site plan and elevations as shown on Exhibits 1B-1GG. Any modification to the project shall be subject to review and approval by Planning staff prior to the issuance of building permits.
- D-G3) Comply with the requirements included in the Mitigation Monitoring Plan (Exhibit 1A.2) developed by and kept on file with the Development Services Department, Planning Division (P04-221).
- D-G4) The applicant shall comply with all Design Review conditions of approval (DR04-309).
- D-G5) Provide an ownership association responsible for the care and maintenance of all common areas and common improvements and any other interest common to the condominium owners. Complete and true copies of all covenants, conditions and restrictions, articles of incorporation and by-laws shall be subject to review and approval by the city prior to occupancy as a condominium unit.
- D-G6) The ownership association shall conduct periodic inspections, not less than monthly, of the exterior of all buildings, trash enclosures and recreation facilities.
- D-G7) The ownership association shall establish and conduct a regular program of routine maintenance for the property. Such a program shall include common areas and scheduled repainting, replanting and other similar activities that typically require attention at periodic intervals but not necessarily continuous. Owner/Operator shall repaint or retreat all painted or treated areas at least once every 8 years; provided that the Planning Director may approve less frequent painting or re-treatment upon a determination that less frequent repainting or re-treatment is appropriate, given the nature of the materials used or other factors. The program shall be subject to review and approval by the Planning Director.
- D-G8) The ownership association shall maintain landscaping and irrigation in a healthy and serviceable condition.
- D-G9) The ownership association shall indicate and maintain all locations of parking stalls for handicapped/disabled access and strictly enforce rules related thereto.
- D-G10) Each condominium unit shall comply with the state of California's Noise Insulation Standards (California Amended Code Section 1092).
- D-G11) Each unit of a condominium project, and all commonly owned portions of a Condominium building shall comply with all applicable building

code standards. Nothing herein shall be construed to prevent or prohibit the applicant or the city from providing or requiring building standards greater than those set forth in the Building Code where the greater standards are found to be necessary to carry out the purposes and objectives of this chapter. (Ord. 99-015 § 6-3-D)

- D-G12) All rooftop mechanical equipment and communications equipment shall be completely screened by the building parapet and architectural projections.
- D-G12a) Should the applicant choose to phase the project so that the podium and Tower A are built first, the applicant shall return to the Planning Commission for review and approval of the project design.

Signage:

- D-G13) A sign permit shall be obtained prior to construction or installation of any attached or detached signs
- D-G14) The applicant shall submit a sign program for all attached and any detached signs for review and approval by the Planning Director prior to issuance of any sign permits.

Landscaping:

D-G15) Detailed landscape and irrigation plans shall be submitted to the Planning Division for review prior to issuance of a building permit. Landscape plans shall indicate quantity, size, and species of each plant and tree. The final landscaping plan will be designed to comply with the City's Water Conservation Ordinance, and shall be to the satisfaction of the Planning Director and the City Arborist. Landscaping shall be consistent with the landscaping exhibits in this report (Exhibit 1D-E).

Lighting:

D-G16) Lighting shall be designed so as not to produce hazardous or annoying glare to motorists and buildings occupants, adjacent residents, or the general public.

Utilities:

D-G17) Any new domestic water services shall be metered. A single domestic water service is allowed for the condominium units and a single domestic water service is allowed for the clubhouse and pool area. Excess services shall be abandoned to the satisfaction of the Department of Utilities.

- D-G18) The condominium units shall have a separate street tap for a metered domestic water service.
- D-G19) The project shall provide for sub-metering of all the condominium units consistent with the Utility Service Agreement. The sub-metering shall be to the satisfaction of the Department of Utilities.
- D-G20) Common area landscaping shall have a separate street tap for a metered irrigation service.
- D-G21) This project is served by the Combined Sewer System (CSS). Therefore, impacts from the project to the CSS must be mitigated to the satisfaction of the Department of Utilities. If mitigation of impacts is not feasible, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of any building permit. The impact to the CSS due to 700 condominium units, 80,000 square feet of retail, 276 room hotel, 40,000 square feet of gym, and 10,000 square feet of spa is estimated to be 640 ESD. The Combined Sewer System fee at time of building permit is estimated to be \$1,621,920 plus any increases to the fee due to inflation and credit for existing sanitary sewer flows from the site. The fee will be used for improvements to the CSS.
- D-G22) 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 onsite water, sewer and storm drain systems shall be private systems maintained by the association.
- D-G23) 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 condominium association.
- D-G24) Foundation or basement dewatering discharges to the Foundation or basement dewatering discharges to the CSS and/or storm drainage system will not be allowed. The CSS and storm drainage system in the area does not have adequate capacity to allow for dewatering discharges for foundations or basements. Foundations and basements shall be designed without the need for dewatering.

- D-G25) The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
- D-G26) 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 not served by a regional water quality control facility and is greater than 1 acre, both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include on-site treatment control measures. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures and on-site treatment control measures.
- This project will disturb greater than 1 acre of property, therefore the D-G27) 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 at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) signed certification page by property owner or authorized representative.

Fire Department

- D-G28) Compliance with City of Sacramento Highrise Ordinance, Title 15, Chapter 15.100, Articles I-XIV.
- D-G29) Provide a low bank/ high bank elevator system in both towers.
- D-G30) There shall be no parking of aircraft on the heliport pad. The heliport must provide for storage of aircraft to keep the pad clear for

- emergencies. Advisory: There shall be no refueling or aircraft repair work within the heliport.
- D-G31) Any booster pump required for pressure must have redundancy and be connected to an emergency back-up power system.
- D-G32) A high pressure fire hose shall be cached in the first floor equipment room. At this time, the length of the high pressure hose is estimated at 500 feet; the exact length will be determined by final placement of fire department connections.
- D-G33) A first floor fire equipment room shall be provided and have an external door.
- D-G34) The fire alarm system shall alert the entire floor for any alarm on that floor.
- D-G35) The number of lightweight MSA air bottles (forty-five (45) cubic feet in size) stored in the fire equipment room shall be increased to twenty (20).

Conditions D-G36 through D-G118 are relocated to Advisory Comments for the Special Permit (Renumbered as Advisory Comments #5-87).

Heliport

D-G119) Approval of the Special Permit for heliports is contingent upon compliance with Public Utilities Code 21661.5 and any other applicable code requirements.

Advisory Comments for Special Permit:

- 1. Many projects in the City of Sacramento require on site booster pumps for fire suppression and domestic water systems. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the on-site fire suppression system.
- 2. The proposed project is located in the Flood zone designated as an **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 X zone, there are no requirements to elevate or flood proof.

3. The applicant shall discourage and control the renting of hotel sleeping units to persons (especially minors) for the purpose of hosting parties on site. The applicant shall immediately deal with problems that result from such activity and shall provide adequate security and supervision so unruly gatherings do not become a burden on police services.

Police:

General

- 4. The applicant shall post the property "No Trespassing" and sign an agreement with the Police Department to prosecute all violators. This agreement shall be kept on file on the premises and at the Police Department.
- 5. No public telephone shall be installed or maintained on the exterior of the premises.
- 6. Signs shall be posted prohibiting consumption of alcoholic beverages in the business or in the parking areas. Signs shall read: "It is unlawful to enter or remain on these premises, adjacent parking lot, or adjacent public sidewalk with and open alcoholic beverage container. P.C. 647e (a)" plus any appropriate local ordinances. Lettering to be block style and a minimum of 2 ½" in height. Signs will be clearly visible to the patrons of the business parking lot and to persons on the public sidewalk.
- 7. Business rules shall be posted in the business interior in a conspicuous place.
- 8. Store / Restaurant windows shall be left unobstructed by either signage and/or display racks, shelving, and merchandise in order to allow viewing of the interior of the business by patrolling police.
- 9. All dumpsters must be kept locked.
- 10. The perimeter of the site shall be fenced during construction and security lighting, security guards, and other electronic monitoring devices shall be employed and deployed as necessary at all times.
- 11. A secure Central Security Office with restricted access, adjacent to the lobby should be included to monitor:

Intrusion detection annunciators in all project phases

Closed circuit TV monitors

Key card access control and mini-processor with hard copy print out and annunciators

Base station radio equipment

Telephones

Fire protective devices

Emergency-power supply equipment

Public safety communications systems and inter-com system

Documented procedures manuals for emergency operations

General-Lighting

- 12. All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.
- 13. The premises, while closed for business after dark, must be sufficiently lighted by use of interior night lights.
- 14. Exterior door, perimeter, parking area, and canopy lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting.

General- Doors and Windows

- 15. The jamb on all aluminum frame 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.
- 16. 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.
- 17. Doors with glass panels and doors with glass panels adjacent to the door frame shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.
- 18. 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 door knob or surface-mounted hardware. Multiple point locks, cylinder activated from the active leaf and satisfying the requirements, may be used in lieu of flushbolts.

- 19. 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.
- 20. Doors with panic bars will have vertical rod panic hardware with top and bottom latch bolts.
- 21. Employee/pedestrian doors shall be of solid core wood or hollow sheet metal with a minimum thickness 1-3/4 inches and shall be secured by a deadbolt lock with a minimum throw of one inch. The following doors shall be addressed all storage room doors, all office doors, connecting doors with the hotel, and all exit doors not panic equipped.
- 22. Outside hinges on all exterior doors shall be provided with nonremovable pins when pin type hinges are used or shall be provided with hinge studs, to prevent removal of the door.
- 23. Any rear door used to admit employees or deliveries shall be equipped with a 180 degree viewing device to screen persons before allowing entry.
- 24. Any office which contains a safe or will be used to count receipts shall be equipped with a 180 degree viewing device.
- 25. Windows that are capable of being opened, shall be secured on the inside with a locking device capable of withstanding a force of three hundred pounds applied in any direction.

General-Roof Openings

26. All glass skylights on the roof of any building shall be provided with:

Rated burglary resistant glass or glass like acrylic material

Or Iron bars of at least ½" round or one by one-fourth inch flat steel material spaced no more than five inches apart under the skylight and securely fastened.

Or
A steel grill of at least 1/8" material or two inch mesh under skylight and securely fastened.

27. All hatchway openings on the roof of any building shall be secured as follows:

If the hatchway is of wooden material, it shall be covered on the outside with at least 16 gauge sheet steel or its equivalent attached with screws.

The hatchway shall be secured from the inside with a slide bar or slide bolts. The use of crossbar or padlock must be approved by the fire department.

Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges.

28. All air duct or air vent openings exceeding 8" x 12" on the roof or exterior walls of any building shall be secured by covering the same with either of the following:

Iron bars of at least ½" round or one by one-fourth inch flat steel material, spaced no more than five inches apart and securely fastened.

Or

A steel grill of at least 1/8" material or two inch mesh and securely fastened.

29. If the barrier is on the outside, it shall be secured with galvanized rounded head flush bolts of at least 3/8" diameter on the outside.

General- Numbering

30. The address number of every commercial building shall be illuminated during hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than four to six inches in height and of a color contrasting with the background.

General-Special Security Measures

- 31. Commercial establishments having one hundred dollars or more in cash on the premises after closing hours shall lock such money in an approved type money safe with a minimum rating of TL-15 or class "C". The cash on hand in the registers shall be limited, and frequent drops into the safe should be made. The safe should be equipped with duress alarm capability.
- 32. The cash register area shall be covered by a CCTV system with a recorder.
- 33. The elevators in the complex shall be equipped with mirrors to allow persons to view the interior of the car before entering.

Hotel

- 34. All handicapped, compact loading/unloading, and delivery parking spaces shall be clearly marked with pavement markings and appropriate signs. The applicant shall install directional signs, traffic control devices, and traffic circulation markings where appropriate or required on site.
- 35. Parking lots, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with high intensity discharge lighting with sufficient

wattage to provide adequate illumination for the safety and security of vehicles and pedestrians using the site during the hours of darkness or diminished lighting. Such lighting shall be equipped with vandal-resistant covers/lenses.

- 36. A lighting level of 1- 2 foot candles minimum maintained at ground level is required in all vehicle and pedestrian areas.
- 37. All exterior doors shall be adequately illuminated at all hours with their own light source.
- 38. Exterior door, perimeter, canopy, and parking area lights shall be controlled by photocell and shall remain on during the hours of darkness or diminished lighting.
- 39. All entrances to the parking areas shall be posted with appropriate signs per 22658(a) CVC, to assist in removing vehicles at the property owner's / manager's request.
- 40. All alarm plans shall be approved by The Sacramento Police Department's Alarm Unit.
- 41. A time delay drop-safe type system is required near the registration desk area to provide the on-duty clerks with the ability to limit available cash on hand. Any safe on site will have minimum rating of TL-15 or Class "C" and should be equipped with a duress alarm capability.
- 42. One or more closed circuit television cameras shall be employed to monitor the front desk and lobby areas in case of robbery or other serious felony. Additional cameras should be considered to monitor other areas of the complex, such as other ground-floor entry doors, if access is not limited to the front entry after dark, ground floor restroom doors and any vending area lacking direct surveillance by front desk personnel.
- 43. The complex shall employ at least one uniformed security person 24 hours daily to patrol the parking areas, hallways, and other public areas on site. Security activities shall be coordinated with other in-city hotel security personnel. The Police Department reserves the right to increase the minimum number of guards without further public hearings, should negative activity warrant it.
- 44. Access into miscellaneous storage, linen, laundry, food and liquor storage areas should be strictly controlled.
- 45. As much care as possible shall be taken not to impair the view of the registration desk and lobby area by passing patrol units outside the business.

Use of such restrictors, as potted plants, draperies, reflective window treatments, etc. should be closely monitored.

- 46. Hotel guests shall be provided with the ability to lock valuables in safety deposit boxes in the office area or safes in their room. The safety boxes shall be closely controlled be designated hotel staff or management.
- 47. Any vending machines installed on site should be positioned in such a location that they are visible to passersby and/or the registration desk and shall be emptied of money daily and sign posted to indicate this provision.
- The applicant shall have the responsibility of assuring that the perimeter of the construction site is fenced during construction with security lighting and guard patrols employed as necessary. If the general contractor is assigned this responsibility, it shall be the applicant's responsibility to assure compliance.
- 49. The applicant shall masterkey all entry and exit doors to only allow access to the building with guest room keys and shall institute a policy to always keep all doors (except the main entry doors) closed and locked at all times.
- 50. The applicant shall install a system which allow the individual guest room locks to be easily rekeyed on a frequent basis. A computer based card access system or a hard key computer based system is encouraged. These systems allow the television theft alarms, smoke detectors, and any emergency type alarm systems to be reported to the front desk through the same remote transmission device. It also restricts the ability of hotel employees to reenter rooms when not authorized and allows easy cancellation of keys from the system. If a computer based system is not feasible, then a manual system shall be instituted to rotate locks on a regular basis by maintenance personnel or a contracted locksmith. Marking or tagging room keys with room numbers is discouraged.
- 51. Television, VCR's, DVD's, etc. in guest rooms shall be equipped with substantial lockdown devices.
- 52. Employee / pedestrian, unit entry, 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.
- 53. Entrance doors into individual units shall be secured with a single cylinder deadbolt lock with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw. The locks should be so constructed that both deadbolt and dead latch can be retracted by a single action of the inside door knob.

- 54. A viewing device (peephole) shall be installed in each individual unit entrance door and shall allow for 180 degree vision.
- 55. A 180 degree viewing device (or peephole) shall be installed in office, administration, delivery, and registration area entry doors to screen persons before allowing entry.
- 56. Outside hinges on all exterior doors shall be provided with non-removable pins when pintype hinges are used or shall be provided with hinge studs, to prevent removal of the door.
- 57. Exterior doors into hotel hallways and doors leading into stairwells shall have self locking (dead latch) devices allowing egress to the exterior of the building or stairwell but requiring a key to be used to gain access to the interior of the building from the outside or into the hallway from the stairwell.
- 58. Exterior doors into hotel buildings and doors leading into stairwells shall be equipped with self-closing devices.
- 59. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame (sliding).
- 60. The sliding portion of a sliding glass window shall be on the inside track.
- 61. Window locking devices shall be capable of withstanding a force of 200 pounds in any direction.
- 62. Secondary locking devices are required on ground floor windows and any windows accessible from outside connecting balconies.
- 63. The address number of every commercial building shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six inches in height and of a color contrasting with the background.
- 64. Each individual unit within the building shall display a prominent identification number not less than two to four inches in height, which is easily visible to pedestrian traffic on site.
- 65. Stairwell, hall, and elevator lighting shall be equipped with vandal-resistant lenses and shall remain on at all times.

Parking Garage

- 66. The parking structure shall be illuminated at a level of 5 foot-candles minimum at all hours, with ramps, corners, and entrances 10-50 foot-candles during evening hours.
- 67. The structure shall be routinely patrolled by security anytime there are vehicles inside.
- 68. The structure shall be equipped with an emergency panic alarm system that reports to a central security office. Alarm buttons should be placed no more than 40-50 feet apart.
- 69. In conjunction with the alarm system, a two way audio system shall be installed.
- 70. An extensive closed circuit television system shall be incorporated throughout the structure with recorder capability.
- 71. The structure shall be equipped with emergency telephones (not pay phones).
- 72. Stairwells, elevator towers, and connecting bridges shall be glass enclosed to provide added visibility and a sense of security.
- 73. The vertical clearance into the parking structure shall be sufficient to allow entry and exit by a tow truck with a vehicle in tow.
- 74. Handicapped spaces shall be clearly marked and properly sign posted.
- 75. Exterior doors, doors leading from the garage areas into multiple dwelling buildings, and doors leading into stairwells shall have self-locking (dead latch) devices allowing egress to the exterior of the building or into the garage area, or stairwell, but requiring a key to be used to gain access to the interior of the building from the outside, or garage area, or into the hallway from the stairwell.
- 76. Exterior doors and doors leading from the garage areas into the multiple dwelling buildings, and doors leading into stairwells shall be equipped with self-closing devices.
- 77. All exterior doors and doors leading from the enclosed garage areas to family units shall be solid core with a minimum thickness of 1-3/4 inches.

Condominiums

- 78. Main entrance doors into individual units 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. The locks should be so constructed that both deadbolt and deadlatch can be retracted by a single action of the inside doorknob.
- 79. A viewing device or peephole shall be installed in each individual unit entrance door and shall allow for 180 degree vision.
- 80. Exterior doors swinging out shall have nonremovable hinge pins or hinge studs to prevent removal of door.
- 81. Single sliding glass doors shall have the movable section of the door 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.
- 82. 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 movable section to defeat the locking mechanism.
- 83. The sliding portion of a sliding glass window shall be on the inside track.
- 84. Window locking devices shall be capable of withstanding a force of 300 pounds in any direction.

Condominiums- Numbering

- 85. All residential entrances shall display a street number in a prominent location on the street side in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be no less than 4 inches in height and shall be of a contrasting color to the background to which they are attached. The numerals shall be lighted at night.
- 86. Directional signs shall be installed where appropriate on site to facilitate location of individual units within the buildings.

. •	CHAIRPERSON
ATTEST:	
SECRETARY TO CITY PLANNING COMMISSION	
DATE (P04-221)	

Exhibit 1A.1 Exhibit 1A.2	Findings of Fact and Statement of Overriding Consideration Mitigation Monitoring Plan
Exhibit 1B	Site Plan Exhibit
Exhibit 1C	Tentative Map Exhibit
Exhibit 1D	Landscape Exhibit, p. 1
Exhibit 1E	Landscape Exhibit, p. 2
Exhibit 1F	Design Perspective
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June 8, 2006

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Exhibit 1GG	Tower Details, Planar and Materials

Mitigation Monitoring Plan for The Towers on Capitol Mall project (P04-221)

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

	N. SERVICE SENSOR CONTROL OF THE RESIDENCE AND ARREST AND ARREST AND ARREST AND ARREST AND ARREST AND ARREST ARRES	Term and the transfer of the second of the s	Managa in Paraga a sa di	Harland, langely constraint	MARRIE METERS MEDITORIO
Impact 📆	Mitigation Measure	Action	Implementi	Timing	Monitoring (
	Initial Study 4 Bio		SALAR MARKA		
4-1 Project	B-1	Verify schedule of any	Project	Prior to tree	City of
construction could	To prevent direct impacts on nesting birds, tree	tree removal or	developer	removal	Sacramento
result adversely	removal shall occur between September 16 and	demolition; if within	'		Development
affect nesting	February 28.	the nesting season			Services
birds.		demonstrate retention	,		Department
	B-2	of a qualified avian			
	If construction activities would occur during the	biologist to conduct			
	breeding season (approximately March 1 through	appropriate nesting			
	September 15), the project applicant, in consultation	surveys and to consult			
	with the CDFG and USFWS, shall conduct a pre-	with CDFG and			i
	construction, breeding season survey of the project	USFWS if active nests			
	site during the same calendar year that construction is	are within the project			
	planned to begin. The survey shall be constructed by	area; obtain permits if			
	a qualified avian biologist to determine if any birds are	nests cannot be			
	nesting on or directly adjacent to the project site.	avoided.			
	If phased construction procedures are planned for the			•	
	proposed project, the results of the above survey shall				
	be valid only for the season when it is conducted.				
	A report shall be submitted to the project applicant				
	and the City of Sacramento, following the completion				
	of the nesting survey that includes, at a minimum, the				
	following information:				
	A description of methodology including datas of				
	 A description of methodology including dates of field visits, the names of survey personnel with 				
	resumes, and a list of references cited, and				
	persons contacted.				
	! · ·				
	A map showing the location(s) of any nests				
	observed within the project site.				
	B-3				
	The project applicant, in consultation with CDFG and				
	USFWS, shall avoid all active nest sites within the				
	project area while the nest is occupied with adults				
	and/or young. The occupied nest shall be monitored				
	by a qualified avian biologist to determine when the				
	nest is no longer used. Avoidance shall include the				
	establishment of a non-disturbance buffer zone, to be				-

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THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

Impact	Mitigation Measure	Action	Implementi	Timing	Monitoring Party
	determined in consultation with CDFG, around the				3.00
	nest site, which will be delineated by highly visible temporary construction fencing.				
	Active nest trees that would not be removed but are in close proximity to construction activities shall be monitored weekly to determine if construction activities are disturbing the adult or young birds, until the birds have left the nest.				
	B-4				
	If an active nest site cannot be avoided and would be destroyed, special permits would be required, depending on the bird species.	·			
	a. For a State-listed bird (i.e. Swainson's hawk), the project applicant shall obtain a Section 2081 permit. Standard mitigation for the loss of an active nest tree generally requires planting 15 trees (a mix of cottonwood, sycamore and valley oaks) and monitoring the success of the trees for five years with a 55% success rate. Locating these trees would likely not be feasible so an alternative approach could be to participate in mitigation deemed appropriate by the CDFG.				·
	 For any bird covered by the Migratory Bird Treaty Act, the project applicant would consult with the USFWS to determine appropriate mitigation measures. 				
	Initial Study = 5. C	ultural Resources	PERMITTED.	AFT CREETS WA	
5-1 Project construction could uncover paleontological artifacts or unique	C-1 Construction contractors involved in earth-moving activities shall be instructed on indicators that subsurface paleontological resources are present and shall be instructed in procedures to follow in the event	Verify that bid documents and contracts include provisions to cease excavation in the	Project developer	Prior to excavation; on-going as needed during	City of Sacramento Development Services Department
geologic resources.	that resources are encountered and the following measures shall be incorporated into all construction contracts:	event of discovery of paleontological resources; excavation plan to be created and		construction; if applicable, excavation plan shall be	

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

Trust at the University of Trust Const.	FOREST, MARK CO. 197 Sect 1980 Sect 1980 Sect 1980 Company of Appendix Process of the Company of	the distance recomplying the prome of the parents of the end	Took at the street of the above	e e supria dal come	The state of the s
Impact	Mitigation Measure		Implementi	Timing	
www.sumpact.	· Artica Ser (中央中央の Milligation Measure) Series (中央の Series Ser	resources shall be	essing.itanya	prepared and adopted prior to any excavation being undertaken after discovery.	and the second s
	(a) In the event any paleontological resources, such as fossils, are uncovered during construction, work within 100 feet of the find shall cease and a qualified paleontologist shall be contacted by the by the project proponent to determine if the resource is significant. If the find is determined to be of significance, an excavation plan shall be created and resources shall be donated to an appropriate cultural center. All work products and plans shall be reviewed and approved by the City prior to execution.	donated to an appropriate cultural center, if required.			
5-2 Project construction could disturb human remains.	C-2 Construction contractors involved in earth-moving activities shall be instructed on indicators that human remains are present and shall be instructed in procedures to follow in the event that resources are encountered and the following measures shall be incorporated into all construction contracts: (a) When Native American archaeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archaeologists who are either certified by the Register of Professional Archaeologists (RPA) or meet the federal standards as stated in the Code of Federal Regulations (36 C.F.R. 61), and Native American representatives who are approved by the local Native American community as scholars of their cultural traditions. In the event that no such Native American is available, persons who represent tribal	Verify that bid documents and contracts include provisions to cease work and notify County Coroner in the event of discovery of human remains.	Project developer/ contractor	Prior to approval of construction plans.	City of Sacramento Development Services Department

THE TOWERS ON CAPITOL MALL PROJECT **MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action	Implementia ng Party	Timing	Monitoring Party
	governments and/or organizations in the locale in			<u></u>	
	which resources could be affected shall be				
	consulted.				
	(b) If human bone or bone of unknown origin is found				
	during construction, all work shall stop in the				
	vicinity of the find and the County Coroner shall be				
	contacted immediately. 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 the most likely descendent. The most likely				
	descendent shall work with the contractor to				
	develop a program for reinternment 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 actions have been carried out.				
CHANGE SECTION	Initial Study - 7. Hazards	and Hazardous Materials			
7-1 Project	Mitigation Measure H-1	Verify provision of	Project	Prior to	City of
construction could	The proposed project shall prepare and conduct	random soil sampling	developer/	excavation.	Sacramento
uncover unidentified	a program of random soil sampling and analyses to characterize the extent, if any, of soil	and analysis performed and	contractor		Development Services
contaminated soils.	contaminants listed in the Phase 1 reports. The	prepared by a State			Department
	program and analyses shall be prepared by a	licensed and qualified			,
	State licensed and qualified engineer. Further, a	engineer; remediation			
	report of the program results shall be made by a	plan and/or subdrain			
	State licensed and qualified engineer and submitted to the Sacramento County Emergency	plan shall be prepared and implemented, if			
	Management Department (SCEMD) and	required by sampling			
	Department of Toxic Substances Control (DTSC).	results.			
,			1		
	If the findings of the soil analyses indicate levels of contaminants above those acceptable by the				
	SCEMD or DTSC, then a remediation program				
	shall be prepared by a State licensed and				
	qualified engineer to excavate and remove the				
	contaminated soils to the appropriate solid waste disposal facility.			1	
II .					

THE	TOWERS ON CAPITOL MALL PROJECT	
	MITIGATION MONITORING PLAN	

impact	Mitigation Measure	Action	Implementi ng Party		Monitoring Party
	 Construction and operation of the proposed project shall implement a dewatering regime detailed in a subdrain plan. The subdrain plan shall use a passive dewatering system including, but not limited to, a series of subdrains, sumps, and pumps, to prevent any influence on the movement or extent of the existing UPRR rail yards groundwater plume. The passive dewatering system and subdrain plan shall be written, managed, and updated by a qualified State licensed engineer. 				•
PROPERTY OF THE PROPERTY OF TH	DEIR Section.	2.2.	1 34 1 103 MI THE CAME A 134C 11		1 131 15 15 15 15 15 15 15 15 15 15 15 15 15
5.1-3 Project could create light or glare that could affect adjacent properties.	 5.1-3 (a) The configuration of exterior light fixtures shall emphasize close spacing and lower intensity light that is directed downward in order to minimize glare on adjacent uses. (b) Highly reflective mirrored glass walls shall be avoided as a primary building material for facades. Instead Low E glass shall be used in order to reduce the reflective qualities of the buildings, while maintaining energy efficiency. 	Design lighting system to avoid lighting of adjacent properties; include exterior building materials that minimize potential for glare.	Project developer/ contractor	Prior to the approval of final development plans and specification s.	City of Sacramento Building Division
5.1-6 The project, in combination with cumulative development in the Central City, could create cumulative light or glare that could affect adjacent properties.	5.1-6 Implement Mitigation Measure 5.1-3 (a) and (b).	See MM 5.1-3	See MM 5.1-3	See MM 5.1-	See MM 5.1-3
	DEIR Section				
5.2-1 Project construction could	5.2-1 The following measures shall be incorporated into	Verify that project	Project developer/	Prior to	City of
generate	construction practices during demolition activity:	contractor construction bid	contractor	issuance of a grading or	Sacramento Building
	pulses adming demonstrating.	1		1 3.3011.9 01	

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

Table 14701 2: Day opening the William Control					
Impact	Mitigation Measure:	Action	Implementi ng Party	Timing	Monitoring Party
emissions of PM ₁₀ .	 (a) The project shall ensure that all demolished material will be completely wetted during demolition and during any subsequent disturbance of the material. (b) The project shall ensure that piles of demolished material, when not being disturbed, are either completely wetted or completely covered. (c) Two feet of freeboard space shall be maintained on all trucks transporting demolished material. 	documents and contracts include demolition activity measures; periodic field inspections during construction.		building permit; on- going during construction.	Division; City of Sacramento Building Inspector
5.2-2 Project construction could generate emissions of ozone precursors.	 5.2-2 The following measures shall be incorporated into construction practices as recommended by the SMAQMD: (a) The project shall provide a plan for approval by SMAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction; (b) The project representative shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. 	Verify that project contractor construction bid documents and contracts include construction practices recommended by the SMAQMD; periodic field inspections during construction.	Project developer/ contractor	Prior to issuance of a grading or building permit; on- going during construction.	City of Sacramento Building Division; City of Sacramento Building Inspector

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THE TOWERS ON CAPITOL MALL PROJECT
MITIGATION MONITORING PLAN

Impact	Mitigation Measure	Action	Implementi	Timing	Monitoring **
	At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline, including start date and name and phone number of the project manager and on-site foreman.				
	(c) The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.				
5.2-3 Project operations could contribute to long-term emissions of ozone precursors.	 5.2-3 The following measures shall be included in the project, as recommended by the SMAQMD: (a) The project applicant shall ensure on-going membership in the Sacramento Transportation Management Association. (b) Transit passes shall be sold on-site, and transit schedules shall be provided on-site. 	The project applicant shall demonstrate ongoing membership in the STMA to the SMAQMD; the project shall accommodate sales of transit passes on the project site.	Project developer Building Manager	On-going during project operation	SMAQMD
5.2-6 The project could expose people to uncomfortable wind speeds.	5.2-6 The proposed project shall include wind screening, through awnings, landscaping, or other methods, to reduce wind in the public area of the podium to	Provide wind tunnel results to City; incorporate recommendations for	Project developer	Prior to the approval of final development	City of Sacramento Building Division

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN Monitoring ... implementi: ng Party Party Mitigation Measure Timing ensure that people are not exposed to wind speeds in wind reductions in plans and specification excess of 20 mph more than 20 percent of the time as project design. a result of project design. Reductions shall be demonstrated through wind tunnel testing. DEIR Section 5.3 Cultural Resources Project Prior to City of 5.3-1 The project Provide a research 5.3-1 excavation. could adversely The project proponent shall hire a qualified design and field developer, Sacramento professional to formulate and implement a research affect known strategy plan for test qualified Development and data recovery and/or previously professional Services design and field strategy plan for test and data excavations prepared unidentified historic archaeologi Department recovery excavations for the remaining strips of land not excavated in the 1960s for the construction of the archaeological by a qualified st resources. professional for Copley Press building. Records for the removal of referenced portions of tanks for the filling station shall also be obtained to the project site. further identify areas of previous disturbance prior to testing and data recovery of the site. After the asphalt covering of the parking lot areas is removed, excavations and data recovery shall commence. All artifacts and features shall be excavated and analyzed. If significant findings are made, historic materials and artifacts shall be incorporated into an interpretive display in the proposed buildings. The interpretive display shall include a history of the site uses including information on the various ethnics groups that dominated the site. Display of all historic materials and artifacts shall follow the standard practices and procedures generally accepted in museum curation. If an interpretive display is not feasible on site, all materials shall be donated to a local museum with the ability to display the items. All activities related to the data recovery of the site shall be recorded and compiled into a report and submitted to both the City and the North Central Information Center. See MM See MM 5.3-5.3-2 See MM 5.3-1 See MM 5.3-1 5.3-2 The project, 5.3-1 in combination with Implement Mitigation Measure 5.3-1.

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other development

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN									
Impact	Mitigation Measure	Action	Implementi	Timina	Monitoring Party				
in the City, could adversely affect known and/or previously unidentified historic archaeological	er en	Action	exang.isuity##	<u> </u>					
resources.									
	DEIR Section								
5.4-1 Project construction could produce temporary noise.	 5.4-1 The prime contractor shall ensure that the following measures are implemented during project construction. (a) Erect a solid plywood construction/noise barrier along the exposed project boundaries. The barrier should not contain any significant gaps at its base or face, except for site access and surveying openings. (b) Construction activities shall comply with the City of Sacramento Noise Ordinance. Demolition and pile driving activities shall be coordinated with adjacent land uses in order to minimize those noise impacts. (c) To further mitigate pile driving noise impacts, holes will be pre-drilled to the maximum feasible depth. This will reduce the number of blows required to seat the pile, and will concentrate the pile driving activity closer to the ground where noise can be attenuated more effectively by the construction/noise barrier. 	Verify that project contractor construction bid documents and contracts include construction noise measures.	Project developer/ contractor	Prior to the issuance of a building permit; inspections during construction.	City of Sacramento Building Division; City of Sacramento Building Inspector				
	(d) Locate fixed construction equipment such as compressors and generators as far as possible from sensitive receptors. Shroud or shield all impact tools and muffle or shield all intake and exhaust ports on power construction equipment. (e) Designate a disturbance coordinator and								

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THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

Impact ?	Mitigation Measure	Action	Implementi / ng Party	Timing	Monitoring Party
an pace of the pac	conspicuously post this person's number around the project site and in adjacent public spaces. This disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement any feasible measures to be taken to alleviate the problem.		ka ngkan ya sa	www.mmg	STEEL LIGHTY SEERS
5.4-5 Helicopters using the project's heliport could create noise that could annoy residents and disrupt sleep.	5.4-5 Helicopter take-offs or landings shall be restricted to occur between the hours of seven a.m. and six p.m. on Monday through Saturday, and between the hours of nine a.m. and six p.m. on Sunday. Any emergency helicopter activity shall be exempt from the provisions of this mitigation.	Restrict heliport hours of operation between the hours of seven a.m. and six p.m. on Monday through Saturday, and between the hours of nine a.m. and six p.m. on Sunday. Complaints of off-hours heliport use shall be investigated by the City.	Project developer Building Manager	On going during project operation	City of Sacramento Development Services Department
に対するのの場合に	DEIR Section 5:5 Public	Utilities and Services	NAME OF SHIP	(1) (1) (1) (1) (1)	
5.5-5 The project could create or contribute stormwater runoff over predevelopment conditions that would exceed the existing or planned capacity of Basin 52.	5.5-5 The project developer shall contribute its fair share amount toward upsizing of existing drainage pipes; or shall construct on-site storage or detention to accommodate any increased runoff that would ensure that project runoff would not contribute to system flooding during storm events. The final detention method shall be developed in consultation with the City of Sacramento Utilities Department.	Contribute required fees toward upsizing drainage pipes or construct on-site storage or detention to accommodate increased runoff.	Project de vel op er	Prior to construction of the project.	City of Sacramento Department of Utilities
	DEIR Section 5.6 Transp				
5.6-1 The project could exacerbate unacceptable operations at local	5.6-1 The project shall provide the funding to the City of Sacramento to add the appropriate traffic signs and to restripe the southbound approach to the 3rd Street/P	Provide funding for noted improvements.	Project developer	Prior to construction of the project.	City of Sacramento Department of Transportation

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THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

Control of the Contro		The state of the s	artists a government of	m necessary entry time	in the company of the
lmpact.	Mitigation Measure	Action	Implementi .	Timina	Monitoring :
intersections (3 rd Street/P Street) under Near-Term Plus Project Condition.	Street intersection to add a second right turn lane.	Asserted Natural Control of the Cont			and Development Engineering and Finance
5.6-3 The project could result in the degradation of pedestrian facilities on the project site.	5.6-3 The project shall replace all existing sidewalks as part of frontage improvements required with approval of the project. Existing pedestrian crosswalks or pedestrian traffic signal indications shall be replaced by the project with approval of the project.	Construct frontage improvements.	Project developer	Prior to building occupancy.	City of Sacramento Development Engineering and Finance
5.6-5 The project could exacerbate unacceptable operations at local intersections under Year 2025 Plus Project Condition.	 5.6-5 (a) The project shall provide the funding to the City of Sacramento to install the appropriate traffic signs on the west side of 3rd Street to restrict parking between 4:00 to 6:00 pm and to restripe the southbound approach to the 3rd Street/P Street intersection to add a second right turn lane. (b/c) The City should retain the one-way southbound operation of 3rd Street between Capitol Mall and L Street. The City shall monitor the operation of the traffic signal at 3rd Street and Capitol Mall and retime the signal to conform to traffic demands. (d) The City shall monitor the operation of the traffic signal at 3rd Street and L Street and retime the signal to conform to traffic demands. 	Provide funding for noted improvements.	Project developer	Prior to construction of the project.	City of Sacramento Department of Transportation and Development Engineering and Finance
5.6-8 Operation of the loading dock during peak periods will affect traffic operations on L Street.	5.6-8 The City shall restrict the use of the loading dock during the peak period of 7:00 to 9:00 AM and 4:00 to 6:00 PM.	Restrict use of the loading dock during the peak period during operation of the project.	Project developer Building Manager	On-going during project operation.	City of Sacramento Department of Transportation and Development Engineering and Finance
5.6-9 Operation of	5.6-9	Include garage access	Project	Prior to	City of

THE TOWERS ON CAPITOL MALL PROJECT MITIGATION MONITORING PLAN

·					
impact	Mitigation Measure	Action	implementi: ng≀Party	Timing	Monitoring Party
the parking garage could result in traffic queues extending onto L Street.	The City shall condition the project to construct the garage access points to include one service position and a 100-foot throat depth for the condominium access and a one-lane access from L Street that widens to two service positions with a 60-foot throat depth for each service position for the hotel/retail/fitness center access.	points according to specifications in construction plans.	developer	project approval.	Sacramento Department of Transportation and Development Engineering and Finance
5.6-10 Conversion of 3rd Street between L Street and Capitol Mall from one-way to two-way operation.	5.6-10 Retain the existing one-way operation on 3rd Street. Implement Mitigation Measures 5.6-3 (b/c). Figures 5.6-12 and 5.6-13 present the traffic volumes without the conversion of 3rd Street between Capitol Mall and L Street to two-way operation.	No action required	n/a	n/a	n/a
5.6-11 Installation of a left-turn pocket on eastbound Capitol Mall at 4th Street.	5.6-11 The City shall condition the project to construct a left-turn pocket on eastbound Capitol Mall to city standards. The left-turn pocket should be a minimum of 180-feet in length to accommodate vehicle queues.	Provide funding for construction of a left turn pocket on eastbound Capitol Mall. City to construct improvements.	Project developer/ City of Sacramento Public Works Department	Prior to the approval of the project/ Prior to project occupancy.	City of Sacramento Department of Transportation and Development Engineering and Finance

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Subject: Towers on Capitol Mall Project Modifications (P06-024)

June 8, 2006

Final Supplemental Environmental Impact Report (FSEIR)

Final Supplement to the Towers on Capitol Mall Environmental Impact Report (P06-024/M05-106)

City of Sacramento
Development Services Department
915 I Street, 3rd Floor
Sacramento, CA 95814

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1. INTRODUCTION

1. INTRODUCTION

PURPOSE OF THIS SUPPLEMENT TO THE EIR

This document supplements the information and analysis contained in The Towers on Capitol Mall Environmental Impact Report (EIR) (State Clearinghouse # 2004122137). This Supplemental EIR (SEIR) is prepared in accordance with Section 15163 of the California Environmental Quality Act (CEQA) Guidelines, which allows preparation of a SEIR if any of the conditions of Section 15162 require a Subsequent EIR, or if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. As such, the SEIR need only contain the information necessary to make the previous EIR adequate for the project as revised. In the case of The Towers on Capitol Mall (P04-221), the project has not changed substantially, only minor changes have occurred since the project was approved by Planning Commission on August 25, 2005.

As identified in the EIR for the Towers on Capitol Mall Project (P04-221), the project is two, 53-story highrise towers, consisting of 85,000 square feet of retail, 800 condominium units, a 276 room, full-service hotel, 40,000 square foot gym, 10,000 square foot spa, and a total of 1,100 parking spaces, for a total building area of 1.8 million square feet in the Central Business District Special Planning District (C-3-SPD) zone. The applicant also proposed to convert traffic on 3rd street between Capitol Mall and L Street to two-way and to add left turn pockets on Capitol Mall at 3rd and 4th Streets to allow eastbound traffic to turn north toward the project site. The Towers on Capitol Mall project was approved by the Design Review Preservation Board on August 8, 2005 and then by the Planning Commission on August 25, 2005. The project entitlements included an Environmental Impact Report (EIR) and Mitigation Monitoring Plan, a Tentative Map to designate the parcel for condominium uses, and Special Permits for the condominiums, for a major project over 75,000 square feet in the C-3-SPD zone, and for the hotel.

This SEIR is being prepared in response to a request to modify the Tentative Map and Special Permits to convert 3rd Street to two-way traffic between L Street and Capitol Mall. Additionally, the approved Tentative Map and Special Permits for The Towers on Capitol Mall project (P04-221) would be modified to reflect a relocation of one of the loading docks to 4th Street, with the second loading dock remaining on L Street, a reduction in the maneuvering width within the building's parking garage, and the addition of valet services on 4th Street. The current request is also for a Special Permit for tandem parking in the on-site parking garage, a Variance to reduce the maneuvering width within the garage, and an amendment to the project's mitigation measures. The certified EIR (2005) concluded that the conversion of 3rd Street between L Street and Capitol Mall from one way to two-way operation could result in a significant impact due to anticipated traffic volumes and circulation patterns from that conversion. The EIR did not identify any feasible mitigation measures that could reduce this impact to less than significant. The EIR states that the only "mitigation" was avoidance, no conversion and retention of 3rd Street as one-way. The EIR also stated that future analysis, based on future conditions, may identify feasible mitigation for the conversion of 3rd Street from one-way to two-way operation. The project, as approved, did not include the conversion.

The City determined that the prior EIR analysis for the project is still applicable and adequate with one exception. Since conversion of 3rd Street was determined to be a potentially significant impact in the Draft EIR for the Towers on Capitol Mall Project and "mitigation" was avoidance, no conversion and retention of 3rd Street as one-way; the City has determined that there may be other possible mitigation measures to allow for the conversion of 3rd Street between L Street and Capitol Mall. Therefore, the City concluded that a specific traffic analysis was necessary to determine whether conversion of 3rd Street between and L Street and Capitol Mall could have any new or more severe significant effects.

As provided in the CEQA Guidelines, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. In discharging this duty, the public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social (Section 15021 of the CEQA Guidelines). This SEIR is a public information document, the purpose of which is to identify the potential significant effects of the proposed project on the environment and to indicate the manner in which those significant effects can be avoided or mitigated, to identify any unavoidable adverse impacts that cannot be mitigated. The SEIR also discloses growth-inducing impacts, effects found not to be significant, and cumulative impacts.

This document will serve as part of the overall environmental review process for the Towers on Capitol Mall Project EIR, initiated in December 2004. This supplemental document was submitted to the State Clearinghouse (SCH#2006022052) and made available to all applicable federal and State regulatory agencies and other interested parties on March 31, 2006. The public review period was from March 31, 2006 through May 15, 2006. During that review period, comments and questions on this Supplement to the EIR were submitted to:

Dana Allen, Senior Planner City of Sacramento Development Services Department Environmental Planning Services 2101 Arena Blvd., Second Floor Sacramento, CA 95834 (916) 566-3968 Fax dallen@cityofsacramento.org

ENVIRONMENTAL PROCEDURES

This SEIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, Section 21000, et seq.) and the State Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Section 15000, et seq.). This report also complies with the rules, regulations, and procedures for implementation of CEQA adopted by the City of Sacramento.

Initially this SEIR has been published as a Draft SEIR and was subject to review and comment by the public, as well as all responsible and other interested jurisdictions, agencies and organizations during a period of 45 days. Comment letters were received and clarifications of the project have been addressed within this document. Section 7 contains the comment letters and the response to comments. The responses to comments specify changes to the Draft SEIR. The responses to comments and any changes to the Draft SEIR therein specified have become the Final SEIR. The Final SEIR will be presented to the Sacramento Planning Commission and City Council for certification as to its adequacy under CEQA.

No final commitment will be made, and no work will be undertaken, unless and until the City has either: (1) adopted mitigation measures that will reduce to a level of insignificance any significant impacts; or (2) if, after further analysis, one or more of the mitigation measures prove to be infeasible or it is determined that the mitigation measures will not reduce the significant impacts to a level of insignificance, the City will have to consider whether or not it wishes to proceed with the project and make required findings if it decides to proceed.

EIR FORMAT AND ORGANIZATION

The State CEQA Guidelines state that a Supplement to an EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. This document provides environmental information in different levels of detail. The document is structured in a manner to allow the reader to easily track information from the Summary (Chapter 2) through the Project Description (Chapter 3) and to the Transportation Analysis (Chapter 4). Impacts are numbered consecutively according to their location in Chapter 4 and where appropriate, are associated with a mitigation measure which is correspondingly numbered. The following list identifies the chapters contained in this SEIR.

١.	Introduction	Chapter 1
2.	Summary	Chapter 2
3.	Description of Project	Chapter 3
l .	Transportation and Circulation	Chapter 4
i.	Other CEQA Considerations	Chapter 5
j.	EIR Authors	Chapter 6
' .	Comment Letters and Responses to Comments	Chapter 7
3.	Mitigation Monitoring Plan	Chapter 8

2. SUMMARY

2. SUMMARY

INTRODUCTION

This summary provides an overview of the proposed Modifications to the Approved Towers on Capitol Mall and 3rd Street Conversion Project which is described in more detail in Chapter 3, Project Description.

SUMMARY OF EIR PROCESS

This SEIR identifies impacts that were not identified in the Towers on Capitol Mall EIR (2005). This SEIR was initially be published as a Draft SEIR on March 31, 2006, and has been subject to review and comment by the public, as well as all responsible and other interested jurisdictions, agencies and organizations during a period of 45 days. Written responses to comments on the Draft SEIR are prepared in Section 7. The responses to comments specify changes to the Draft SEIR. The responses to comments and any changes to the Draft SEIR therein specified will become the Final SEIR. The Final SEIR will be presented to the Sacramento Planning Commission and City Council for certification as to its adequacy under CEQA.

No final commitment will be made, and no work will be undertaken, unless and until the City has either: (1) adopted mitigation measures that will reduce to a level of insignificance any significant impacts; or (2) if, after further analysis, one or more of the mitigation measures prove to be infeasible or it is determined that the mitigation measures will not reduce the significant impacts to a level of insignificance, the City will have to consider whether or not it wishes to proceed with the project and make required findings if it decides to proceed.

SUMMARY OF PROJECT DESCRIPTION

Location

The Towers on Capitol Mall project is located in the Central Business District of downtown Sacramento (see Exhibit 3-1). The 2.42 acre project site is at 301 Capitol Mall, APN 006-0141-043 (occupying the block between 3rd and 4th Streets, Capitol Mall and L Street. The 3rd Street Conversion is located on the east side of the Towers project site, between L Street and Capitol Mall (see Exhibit 3-1).

Description

Two current applications are being brought forward to Planning Commission and City Council together as they both concern The Towers on Capitol Mall project site. Application P06-024 is a request for several minor revisions to the approved project related primarily to changes in the internal workings of the parking garage, the relocation of one of the loading dock areas from L Street to 4th Street, and the introduction of a valet service and turn-out location on 4th Street for the residents of Tower 2 (valet service will already be offered for Tower 1 residents via the hotel porte-cochere). The applicant is also requesting that the project be modified in anticipation of City Council's consideration of the conversion of 3rd Street from one-way to two-way traffic between L Street and Capitol Mall.

Application M05-106 is a request for conversion of 3rd Street, between L Street and Capitol Mall (in front of The Towers on Capitol Mall project site) from one-way to two-way traffic in order to improve access to the project site and overall circulation in the area. Third Street is currently a one-way street with traffic directed south toward Capitol Mall. An Exhibit depicting the proposed site plan is included as Exhibit 4-5 Project Site Plan, page 4-12. The conversion will require review and approval by the City Council.

3. PROJECT DESCRIPTION

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PROJECT LOCATION

The Towers on Capitol Mall project is located in the Central Business District of downtown Sacramento (see Vicinity Map - Exhibit 3-1). The 2.42 acre project site is at 301 Capitol Mall, APN 006-0141-043 (occupying the block between 3rd and 4th Streets, Capitol Mall and L Street. The 3rd Street Conversion is located between L Street and Capitol Mall (see Land Use and Zoning - Exhibit 3-2). The CBD is typified by mixed use commercial, retail, residential, and office uses of medium to high density. The project site is adjacent to 3rd and 4th Streets. 3rd Street is a one way three-lane arterial, while 4th Street is a two-lane arterial road. The project site is located six blocks west of the State Capitol building along Capitol Mall, a four-lane, two-way major arterial road that maintains a large amount of vehicle traffic during business hours. Despite concentrated vehicular traffic, Capitol Mall maintains a pedestrian-friendly atmosphere with a wide median strip and wide sidewalks for the employees and patrons of the local businesses.

PROJECT BACKGROUND

The Environmental Impact Report (EIR) for the Towers on Capitol Mall Project (SCH # 2004122137) (P04-221), was certified on August 3, 2005 by the Design Review and Preservation Board and by Planning Commission on August 25, 2005. The approved entitlements include Environmental Impact Report; Mitigation Monitoring Plan; Tentative Map for one condominium parcel; Special Permit to construct 800 alternative ownership housing units (condominiums) in the C-3-SPD zone; Special Permit to construct a 276-unit hotel in the C-3-SPD zone; Special Permit for a Major Project over 75,000 gross square feet in the C-3-SPD zone; and Special Permit for a helistop for The Towers on Capitol Mall project. The proposed project also included conversion of 3rd Street between Capitol Mall and L Street from one-way to two-way and the addition of left turn pockets on Capitol Mall at 3rd and 4th Streets to allow eastbound traffic to turn north toward the project site (see Exhibit 4-5 Project Site Plan, page 4-12).

The certified EIR (2005) concluded that the conversion of 3rd Street between L Street and Capitol Mall from one way to two-way operation could result in a significant impact due to anticipated traffic volumes and circulation patterns from that conversion. The EIR did not identify any feasible mitigation measures that could reduce this impact to less than significant. The EIR states that the only "mitigation" was avoidance, no conversion and retention of 3rd Street as one-way. The EIR also stated that future analysis, based on future conditions, may identify feasible mitigation for the conversion of 3rd Street from one-way to two-way operation. The project, as approved, did not include the conversion.

PROJECT DESCRIPTION

A request is being made to modify the Tentative Map and Special Permits and a new Special Permit for the Towers on Capitol Mall (P06-024).

1. <u>Amendment to the Tentative Map Conditions of Approval:</u>

The Tentative Map conditions of approval for The Towers Project (P04-221), require that the project comply with the adopted mitigation measures. That condition will still apply, however, Mitigation Measures 5.6-10 will be replaced with the new mitigation being proposed with the current project (4.1) to address the conversion of 3rd Street to two-way traffic.

Special Permit Modifications:

Loading Docks - The basement of the building, originally planned to be used for loading and unloading space, has been removed and the applicant now proposes to use a ground floor level loading area on L Street and one on 4th Street to accommodate the loading/service needs of the building. The L Street façade of the building will remain unchanged and a load dock area will be added on 4th Street.

L Street is considered to be a major street and maneuvering on major streets for loading purposes is not allowed by Title 18 of the City Code. City Code Section 18.08.060 states, "No commercial driveway or parking area will be designed to require a vehicle to back into, or out of, public right-of-way, except on minor local streets where the size or shape of the parcel is such that development would be precluded otherwise." The applicant is seeking a Variance from the City's Department of Transportation to allow maneuvering on L Street. The Variance was approved on May 12, 2006 and notices sent out to all property owners and interested parties within a 100-foot radius of the project site, informing them that there is a 10-day appeal period during which the Transportation Director's decision may be appealed to the City Council.

In order to avoid peak hour conflict, deliveries to the L Street loading dock that require maneuvering in the public right-of-way are not allowed between 7am-9am, 11am-1pm, and 4pm-6pm. The L Street loading dock is designed such that moving vans and smaller delivery trucks, such as a UPS or Fed-Ex delivery truck can drive directly into the loading area, make a three point turn in the loading dock area, and exit directly back out onto L Street. Consequently, there will be no restriction as to the delivery hours of these smaller vehicles.

Similarly, the proposed 4th Street loading dock area will allow enough maneuvering area for moving vans and smaller delivery vehicles. The Variance requires that maneuvering within the public right-of-way will not be allowed between the hours of 4pm-6pm on 4th Street.

The US Postal Service will have its own designated parking area on the 3rd floor of the parking garage for mail delivery, eliminating the need for the USPS to use the loading dock areas on a daily basis. Trash and recycling trucks must back into the loading areas for pick-up. The L Street loading area will handle the hotel's delivery needs, while the 4th Street loading area will concentrate more on the retail deliveries. Depending on the ultimate retail mix in the building, retail shops can expect to receive about one delivery per day, while a restaurant may receive three to four deliveries a day. Delivery times would be staggered to assure that trucks are not waiting to make deliveries. Overall, there may be between 10-20 deliveries to the 4th Street loading dock per day.

Valet Parking on 4th Street - The applicant is proposing to locate a second valet location on 4th Street to service the residents of Tower 2 (located at the corner of 4th Street and Capitol Mall). There is currently a valet service located within the hotel porte-cochere on 3rd Street which will remain and will serve valet service entrance for hotel guests and Tower 1 residents. Exhibit 4-5 on page 12 shows the proposed location of the 4th Street valet area, located close to Capitol Mall. Depending on the ultimate operations of the building, the applicant has indicated that the turnout area on 4th Street may only be used for passenger drop-off/pick-up only, with no valet services provided.

3. Special Permit to Allow Tandem Parking- The on-site parking levels within the building will be reserved for residents, hotel guests, and those visitors to the Towers on Capitol Mall building that wish to have their vehicle valet parked. Individuals will not be able to park their own car within the building unless they are a resident (and in this case the parking spaces will be assigned). All hotel parking will be valet parking only.

The applicant proposes a mix of single parking stalls and tandem parking on all levels of the parking garage. The inclusion of tandem parking will not inhibit the ability for each residential unit to be assigned a parking space (and perhaps more than one space depending on the needs of the resident).

Parking Summary- The proposed parking modifications, including the reduction in maneuvering width discussed in the following section, and the inclusion of tandem and compact spaces, will result in more parking spaces within the parking garage than were approved with the original project Special Permit. With the original project, approximately 1,100 parking spaces were proposed. With the current modifications in place, the total parking count within the parking garage will be approximately 1,249 spaces, important to the overall operations of the project. The number of parking spaces being included within the project is consistent with City Code requirements.

3. Variance to Reduce Maneuvering Width - The project proposes a reduction in the required maneuvering width within the parking garage drive aisles from 26-feet to 24-feet. Development Engineering (DE) staff has reviewed the proposal and determined that the reduced maneuvering width provides adequate circulation within the parking garage and will not affect on-street traffic operations.

A request is being made to convert 3rd Street to two-way traffic between L Street and Capitol Mall (M05-106). The entitlements being requested include:

1. Conversion of 3rd Street to two-way traffic between L Street and Capitol Mall- The conversion is desired by the project applicant because it improves access to the Towers on Capitol Mall project site from Capitol Mall itself. Hotel visitors will be able to enter and exit the hotel porte-cochere via both north and south connections on 3rd Street, rather than having to circle the block to access and exit it via a southbound connection only. Departing hotel guests will have direct access to Interstate-5 via the L Street on-ramps. The request to convert 3rd Street will need to be approved by the City Council.

This section of 3rd Street is currently a one-way street with 3-lanes headed southbound toward the Tower Bridge. There in on-street parking on both sides of the street. The entire length of 3rd Street from I Street to Broadway varies from a two- to three-lane, north-south roadway.

The segment of 3rd Street between L Street and Capitol Mall is proposed to be converted from one-way to two-way traffic; the street segment would be reconfigured to retain three southbound travel lanes and incorporate one northbound lane. Drivers headed east over the Tower Bridge would be able to make a left-hand turn at 3rd Street to access the hotel site at the Towers project or to continue to L Street or J Street.

A traffic study was conducted in order to determine the potential impacts of the conversion of this block of 3rd Street on the transportation system near the Towers on Capitol Mall project site. The impact analysis examined the roadway, transit, and bicycle/pedestrian components of the overall transportation system under near-term and cumulative (Year 2025) conditions with and without the proposed conversion.

Thirteen separate intersections were studied. For a complete list of these intersections, please see page 4-3 of the Transportation and Circulation section. Traffic counts were collected during the AM (7:00-9:00) and PM (4:00-6:00) peak hours at each study intersection. Traffic volumes were used to determine the existing level of operation at each study intersection, with and without the proposed conversion, for both the near-term and for the Year 2025.

Table 4-14 and Table 4-15 of the Traffic and Circulation section show average seconds of delay per

vehicle at each of the studied intersections, with and without the proposed conversion, and in the nearterm and in the Year 2025. The following thresholds were used to determine if a significant traffic impact has occurred:

- The addition of project-generated traffic causes a facility (i.e. the operations of the intersection) to change from Level of Services (LOS) A-C to LOS D-F; or
- The addition of project-generated traffic increases the average stopped delay by five seconds or more at an intersection <u>already</u> operating worse than LOS C.

As shown on Table 4-15, the proposed conversion of 3rd Street would cause significant impacts at the following two intersections in the Year 2025 cumulative scenario:

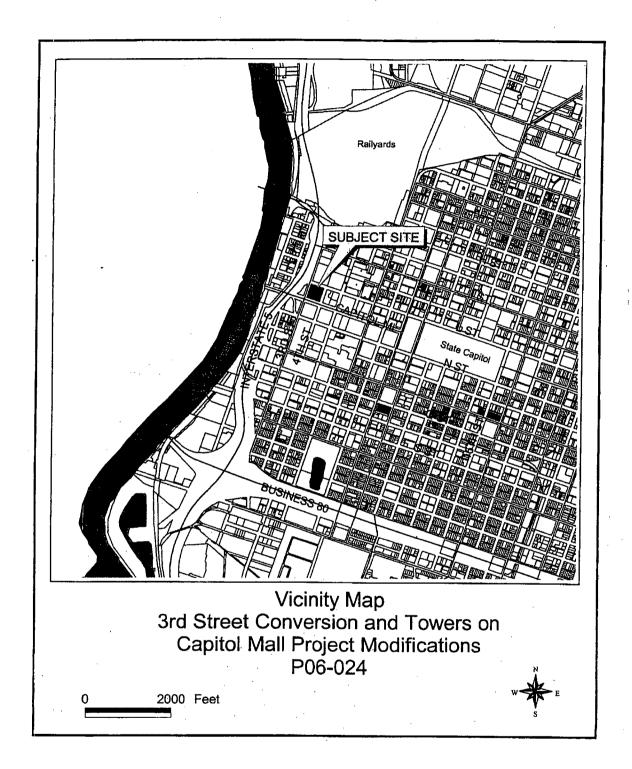
- 3rd Street and Capitol Mall-Change in PM peak hour LOS from C to D
- 3rd Street and N Street- More than five seconds of additional delay during the PM peak

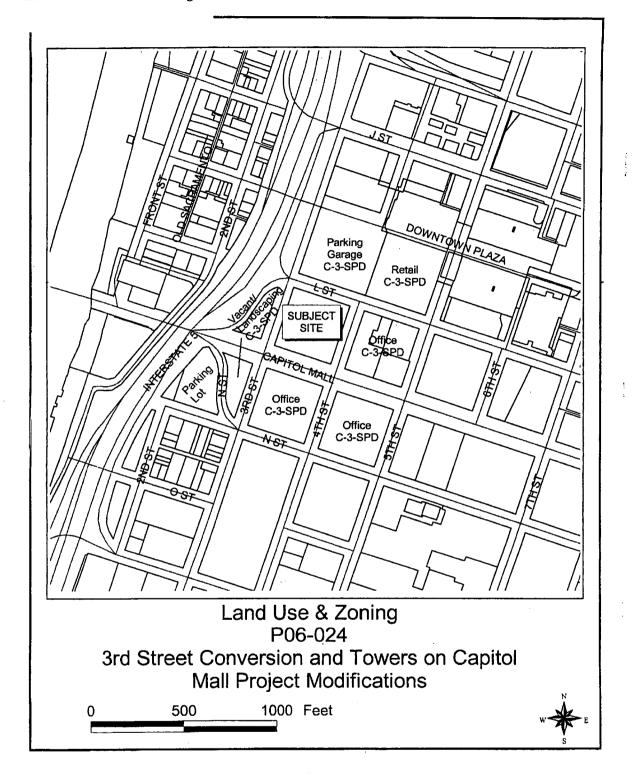
By adjusting the traffic signal timing on these two intersections to take into account traffic demands, the anticipated traffic impacts was mitigated to a less-than-significant level.

- Tentative Map Modification A modification is being requested for the single lot condominium map
 that was approved with the original Towers on Capitol Mall project in August 2005. The
 modification is to reflect the proposed conversion of 3rd Street to two-way traffic.
- Special Permit Modification- A modification is being requested to the Special Permit originally
 approved with the Towers on Capitol Mall project in August 2005 (P04-221). The modification is
 to reflect the proposed conversion of 3rd Street to two-way traffic.

Building design, signage and landscaping

All modifications to The Towers on Capitol Mall project that result in a change to the exterior of the building are being reviewed and approved by Design Review staff as they are submitted. The original project approval (P04-221) requires that sign package be reviewed and approved by staff prior to a sign permit being issued. No sign package has been submitted to date.





LEAD AND RESPONSIBLE AGENCIES

The City of Sacramento is the lead agency for the preparation of the Towers on Capitol Mall and 3rd Street Conversion environmental analysis. In conformance with Sections 15050 and 15367 of State CEQA Guidelines, the City of Sacramento has been designated the "lead agency" which is defined as the "public agency which has the principal responsibility for carrying out or disapproving a project".

Lead Agency Contact

City of Sacramento:

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Dana Allen, Project Manager Environmental Planning Services Development Service Department 2101 Arena Blvd., Second Floor Sacramento, California 95834 (916) 808-2762

Samar Hajeer, Senior Civil Engineer Development Engineering Development Services Department 915 I Street, 3rd Floor Sacramento, CA 95814 (916 808-7808

REQUIRED DISCRETIONARY ACTIONS

The City of Sacramento is required to follow through with discretionary actions for project approval. The actions necessary for project approval include, but are not limited to, the following:

P06-024

Modifications to the Approved Towers on Capitol Mall project. Entitlements to modify the previously approved Towers on Capitol Mall project, located at 301 Capitol Mall. Revisions are related to the circulation within the parking structure, the location of the loading areas, accommodating additional valet services on 4th Street, and an amendment to the project's mitigation measures.

- A. Environmental Determination: Supplemental Environmental Impact Report to Previous EIR, State Clearinghouse # 2004122137;
- B. Mitigation Monitoring Plan;
- C. Amend the Tentative Map Conditions of Approval related to the project's mitigation measures:

- D. Special Permit Modification to amend the previously approved site plan, floor plans, and elevations for the highrise project known as The Towers on Capitol Mall, located at 301 Capitol Mall;
- E. Special Permit to allow tandem parking;
- F. Variance to reduce maneuvering width within the parking garage.
- M05-106

 Request to Convert 3rd Street to Two-Way Traffic between L Street and Capitol Mall.

 Entitlements to enable the conversion of 3rd Street, between L Street and Capitol Mall to 2-Way

 Traffic. 3rd Street is currently a one-way street southbound in this location. The conversion
 would open the street to northbound traffic. APN: 006-0141-043. Council District 1.
 - A. Environmental Determination: Supplemental Environmental Impact Report to Previous EIR, State Clearinghouse # 2004122137;
 - B. Mitigation Monitoring Plan;
 - C. Convert 3rd Street to two-way traffic between L Street and Capitol Mall;
 - D. Tentative Map Modification related to the conversion of 3rd Street to two-way traffic;
 - E. Special Permit Modification related to the conversion of 3rd Street to two-way traffic.

4. TRANSPORTATION AND CIRCULATION

4. TRANSPORTATION AND CIRCULATION

INTRODUCTION

This section describes the potential impacts to the transportation system near the 301 Capitol Mall project site and 3rd Street between L Street and Capitol Mall Street as a result of the proposed project as described below:

• The applicant is requesting several minor revisions to the approved project related primarily to changes in the internal workings of the parking garage, the relocation of one of the loading dock areas from L Street to 4th Street, and the introduction of a valet service and turn-out location on 4th Street for the residents of Tower 2 (valet service will already be offered for Tower 1 residents via the hotel porte-cochere). The applicant is also requesting that the project be modified in anticipation of City Council's consideration of the conversion of 3rd Street from one-way to two-way traffic between L Street and Capitol Mall.

Development Engineering (DE) staff has reviewed the proposal for Application P06-024, and determined that the reduced maneuvering width provides adequate circulation within the parking garage and will not affect onstreet traffic operations. Granting the Special Permit for tandem parking will not be detrimental to the public health, safety or welfare, nor will it result in the creation of a nuisance, as adequate circulation is provided with the parking garage and will not affect on-street traffic operations. With the relocation of the loading dock on 4th Street and subsequent conditioning the project to avoid peak hour conflict between 7am-9am, 11am-1pm, and 4pm-6pm and staggering delivery times on 4th Street to assure that trucks are not waiting to make deliveries, Staff finds that the proposed modifications to the Towers on Capitol Mall project, as conditioned, do not adversely impact traffic operations and circulation in the area of the project site. Therefore, this section does not go into further detail on this application.

Application M05-106 is a request for conversion of 3rd Street, between L Street and Capitol Mall (in front of The Towers on Capitol Mall project site) from one-way to two-way traffic in order to improve access to the project site and overall circulation in the area. Third Street is currently a one-way street with traffic directed south toward Capitol Mall. An Exhibit depicting the proposed site plan is included as Exhibit 4-5 Project Site Plan. The conversion will require final review and approval by the City Council.

The impact analysis examines the roadway, transit, and bicycle/pedestrian components of the overall transportation system under near-term and cumulative (Year 2025) conditions with and without the proposed project (See Exhibit 4-5). Significant impacts as defined by CEQA were identified for each component and, as necessary, mitigation measures were identified to offset those impacts.

This section is organized to include two parts. The first part is the environmental setting, which describes the existing transportation system and the regulatory environment related to transportation. The second part describes the impact analysis, including standards of significance used in the evaluation, specific impacts of the project, and proposed mitigation measures.

ENVIRONMENTAL SETTING

The roadway, transit, bicycle, and pedestrian components of the transportation system are described below. Exhibit 4-1 displays the roadways within the study area.

Roadway System

The roadway network near the proposed project is described below.

- Interstate 5 (I-5) is eight lanes (four mixed-flow lanes in each direction) within the study area. I-5 serves as the commute corridor between downtown and the southern area of the City of Sacramento and the City of Elk Grove and between downtown and the North Natomas area of the City of Sacramento.
- Capitol Mall is an east-west four-lane roadway continuing from Business Route 80 in West Sacramento (as State Route 275) to 10th Street. A majority of the land uses along Capitol Mall are office.
- J Street is a three-lane one-way (eastbound) roadway that connects I-5 to the downtown and midtown areas of the City of Sacramento.
- L Street is a three-lane one-way (westbound) roadway that connects downtown and midtown
 Sacramento to northbound I-5. Access to the project parking garage and loading dock is planned off L
 Street.
- 4th Street is a two-lane north-south minor roadway that connects L Street to P Street.
- 5th Street is a two- to three-lane north-south roadway that connects H Street to Vallejo Way.
- 3rd Street is a two- to three-lane north-south roadway between I Street and Broadway.
- PStreet is a three-lane one-way (westbound) roadway west of 16th Street. It has on-ramps to northbound and southbound I-5.
- Q Street is a three-lane one-way (eastbound) roadway west of 16th Street. It has off-ramps from northbound and southbound I-5.
- IStreet is a three-lane one-way (westbound) roadway (west of 16th Street) that continues from midtown and east Sacramento to Old Sacramento. It has on-ramps to northbound and southbound I-5.

NOT TO SCALE z STATE CAPITOL LEGEND Project Location

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PROJECT LOCATION
EXHIBIT 4-1

Study Intersections

The thirteen study intersections selected are listed below:

- 1. 3rd Street/Q Street
- 2. 3rd Street/P Street
- 3. 3rd Street/N Street
- 4. 4th Street/N Street
- 5. 5thStreet/N Street
- 6. 3rd Street/Capitol Mall
- 7. 4th Street/Capitol Mall
 8. 5th Street/Capitol Mall
- 9. 3rd Street/L Street
- 10. 5th Street/L Street
- 11. 3rd Street/J Street
- 12. 5th Street/J Street
- 13. 5th Street/I Street

Traffic counts were collected during the AM (7:00-9:00) and PM (4:00-6:00) peak hours at each study intersection. Traffic counts at the study intersections were collected in January 2005 for the Towers on Capitol Mall project.

The existing peak hour traffic volumes, lane configurations, and traffic controls at each study intersection are displayed in Exhibit 4-2.

The City of Sacramento, Traffic Engineering Division provided the existing signal timings for all of the signalized study intersections. The existing signal timing was used for all conditions (near-term and future).

Analysis Methodology

Level of service (LOS) is a qualitative measure describing the operating condition of intersections and roadways. LOS ranges from A through F, which represents driving conditions from best to worst, respectively. In general, LOS A represents free-flow conditions with no congestion, and LOS F represents severe congestion and delay under stop-and-go conditions.

Signalized Intersections

The signalized intersections were analyzed using the SYNCHRO intersection operation analysis software. SYNCHRO uses methodologies presented in the *Highway Capacity Manual (2000 HCM)*, Transportation Research Board, 2000 and existing traffic signal timing data to evaluate traffic signal operation. This methodology determines the LOS at signalized intersections by comparing the average control delay per vehicle at the intersection to the thresholds shown in Table 4-1.

Table 4-1
Level of Service Definitions for Signalized Intersections

Level of Service	Average Control Delay (seconds/vehicle)	
Α	≤ 10.0	
В	10.1 – 20.0	
С	20.1 – 35.0	
D	35.1 – 55.0	
E	55.1 - 80.0	
F	> 80.0	

Source: Highway Capacity Manual, Transportation Research Board, 2000.

Unsignalized Intersections

The unsignalized intersections were also analyzed using methods described in the 2000 HCM. This methodology reports the LOS using the control delay thresholds shown in Table 4-2. As described in the 2000 HCM, the LOS for all-way stop controlled intersections is based on the average control delay for the entire intersection. Conversely, for side-street stop-controlled intersections, the LOS is measured separately for each individual movement. To be consistent with both the 2000 HCM and the City's significance criteria, which are based on the average control delay for the intersection, both the average control delay and control delay for the worst-case movement are reported.

The 4th Street/N Street intersection was evaluated to determine if it warrants the installation of a traffic signal (*Traffic Manual*, Caltrans, 1996).

Table 4-2
Level of Service Definitions for Unsignalized Intersections

Level of Service	Average Control Delay (seconds/vehicle)		
A	≤ 10.0		
В	10.1 – 15.0		
С	15.1 – 25.0		
D	25.1 – 35.0		
E	35.1 – 50.0		
F	> 50.0		

Source: Highway Capacity Manual, Transportation Research Board, 2000.

Intersection Operations

The traffic volumes displayed in Exhibit 4-2 were used to determine the existing operations at each study intersection. Table 4-3 summarizes the traffic operations during the AM and PM peak hours.

All of the study intersections operate at acceptable levels of service except for the following intersections:

• 3rd Street/J Street - LOS D during the AM and PM peak hours

The N Street/4th Street intersection does not the meet peak hour traffic signal warrant.

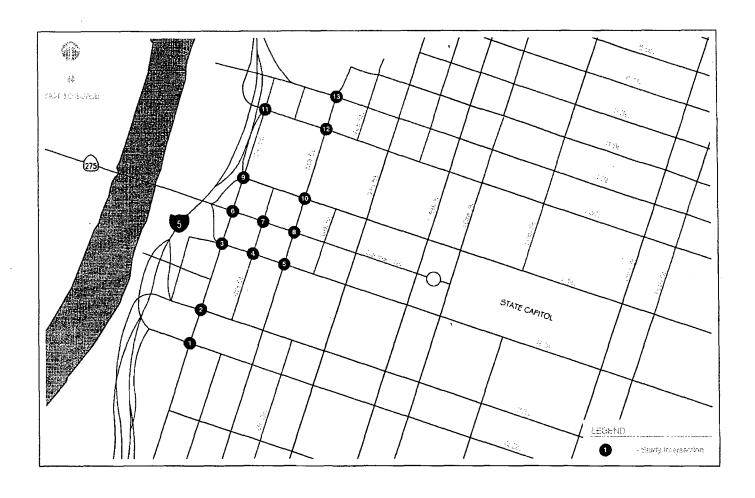
Table 4-3 Peak Hour Intersection Operations - Existing Conditions

	Tax Hour Intersection Operations Dations Continues				
.	Control	Average Delay (seconds per vehicle) - Level of Service			
Intersection					
		AM	PM PM		
1. 3 rd St./Q St.	Signal	10.3 (B)	12.2 (B)		
2. 3 rd St./P St.	Signal	9.3 (A)	21.5 (C)		
3. 3 rd St./N St.	Signal	12.2 (B)	14.8 (B)		
4. 4th St./N St.	TWSC1	2.7 (A)	8.7 (A)		
	TWSC	13.4 (B)	21.9 (C)		
5. 5 th St./N St.	Signal	14.3 (B)	14.1 (B)		
6. 3rd St./Capitol Mall	Signal	17.1 (B)	15.0 (B)		
7. 4th St./Capitol Mall	Signal	10.7 (B)	9.8 (A)		
8. 5th St./Capitol Mall	Signal	13.0 (B)	13.0 (B)		
9. 3 rd St./L St.	Signal	11.8 (B)	13.9 (B)		
10. 5th St./L St.	Signal	9.8 (A)	10.3 (B)		
11. 3 rd St./J St.	Signal	50.8 (D)	36.7 (D)		
12. 5th St./J St.	Signal	18.1 (B)	9.6 (A)		
13. 5 th St./I St.	Signal	12.2 (B)	13.7 (B)		

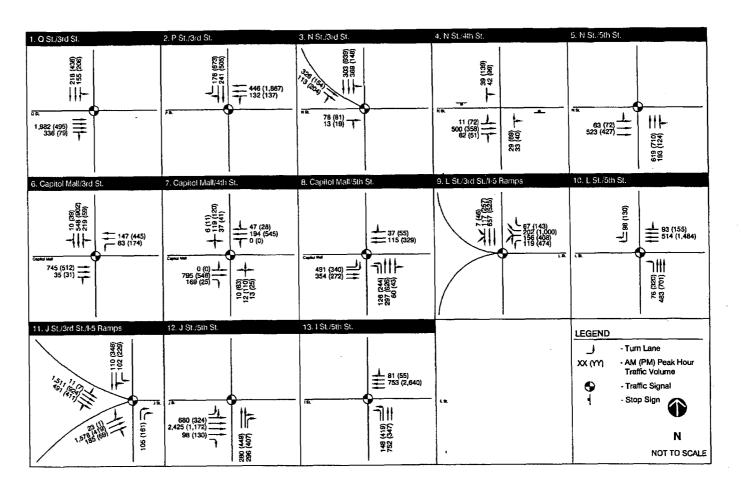
Notes: (1) TWSC – Two-way stop controlled intersection. Results reported in average delay and LOS above, worst-case movement delay and LOS below.

Bold indicates intersections operating at an unacceptable LOS.

Source: Fehr & Peers, 2005.



STUDY INTERSECTIONS -EXISTING CONDITIONS EXHIBIT 4 - 2A



PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS -EXISTING CONDITIONS

EXHIBIT 4 -2B

Bicycle and Pedestrian Facilities

Existing bicycle facilities within the study area are displayed in Exhibit 4-3. According to the Sacramento City/County 2010 Bikeway Master Plan (September 1992), a signed bike route is located on N Street between 2nd Street and 13th Street. Field observations indicate that bikes using this route must share the facility with pedestrians. Class II on-street bike lanes (i.e., signed and striped) are located on 11th Street between N Street and X Street, 14th Street between I Street and E Street, E Street, K Street between 15th Street and Alhambra Boulevard, The Street between E Street and Richards Boulevard, and Capitol Avenue between 15th Street and Alhambra Boulevard.

As this project is located near the urban core of the City of Sacramento sidewalks are provided on a majority of the streets in the project study area. On some streets the sidewalks are separated from the street by a landscaping strip.

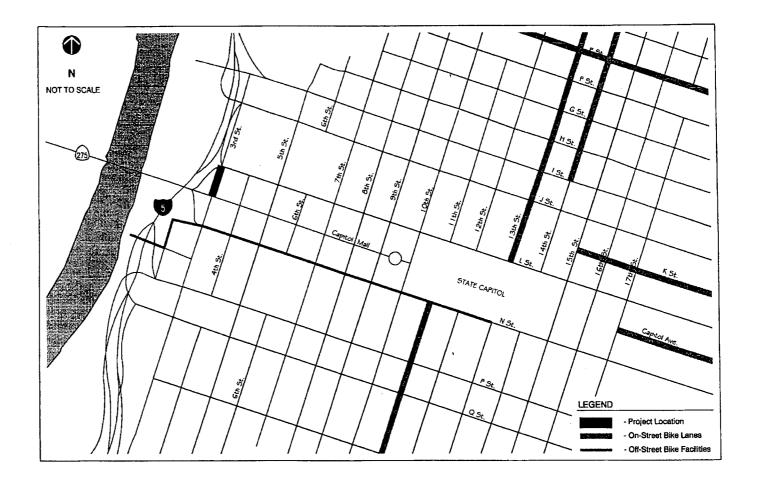
Transit Service

The Sacramento Regional Transit District (RT) is the major transit provider in Sacramento County. RT provides both bus and light rail transit services, with a majority of the service oriented to connecting the downtown area with the outlying suburbs. RT provides a majority of the public transit service (light rail and bus) within the project area as shown in Exhibit 4-4. However, bus transit service is also provided by Yolo bus, Folsom Stage Lines, Yuba-Sutter Transit, Solano Transit, Roseville Transit, El Dorado Transit, Elk Grove Transit (e-trans), and San Joaquin Regional Transit District. Train service is provided by Amtrak and the Capitol Corridor train service out of the Sacramento Valley train station at 4th and I Street.

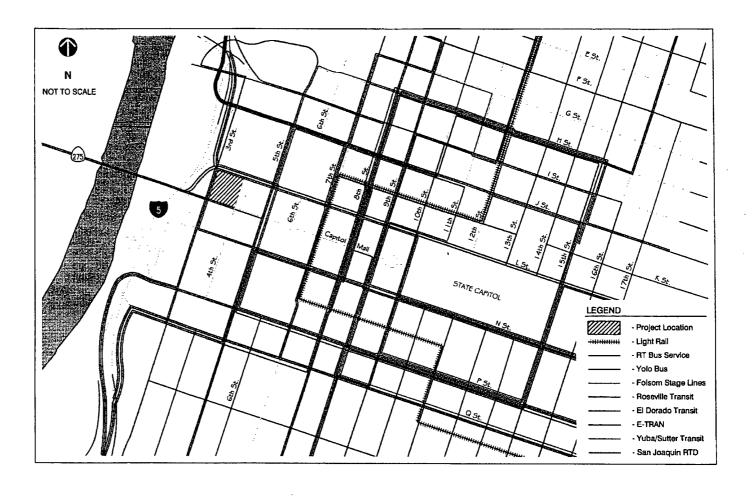
Light rail service currently extends from downtown to Sunrise Boulevard in the City of Rancho Cordova, Meadowview in the City of Sacramento, Watt Avenue/I-80 in the County of Sacramento and from Sunrise Boulevard to the City of Folsom and to the Sacramento Valley Train Station by way of 7th Street, 8th Street, and H Street. Planning is underway to extend the South Line to Cosumnes River College and construct a new line from downtown to the Sacramento International Airport by way of South and North Natomas.

Light rail service is generally on 15-minute headways during the day and 30-minute headways in the evening. Suburban stations include parking for commuters.

The nearest light rail stations to the proposed project are at 7th Street and Capitol Mall and 8th Street and Capitol Mall.



EXISTING BICYCLE FACILITY MAP
EXHIBIT 4-3



EXISTING TRANSIT MAP

EXHIBIT 4-4

ANALYSIS

The analysis methodology, transportation impacts, and mitigation measures for the proposed project (See Exhibit 4-5) and project alternatives are described below.

Traffic Volume Forecasts

Traffic volume forecasts for near-term and cumulative (Year 2025) conditions, with and without the project, are discussed below.

Near-Term Conditions

Several development projects are planned or approved within the study vicinity that will increase traffic volumes on the roadways adjacent to the proposed project site. Since these projects will likely be constructed before the proposed project, "near-term" traffic forecasts were developed to reflect the completion of these projects and establish a baseline for analyzing the proposed project.

Near-term traffic forecasts were developed by modifying the existing traffic counts to include the traffic generated by the following projects:

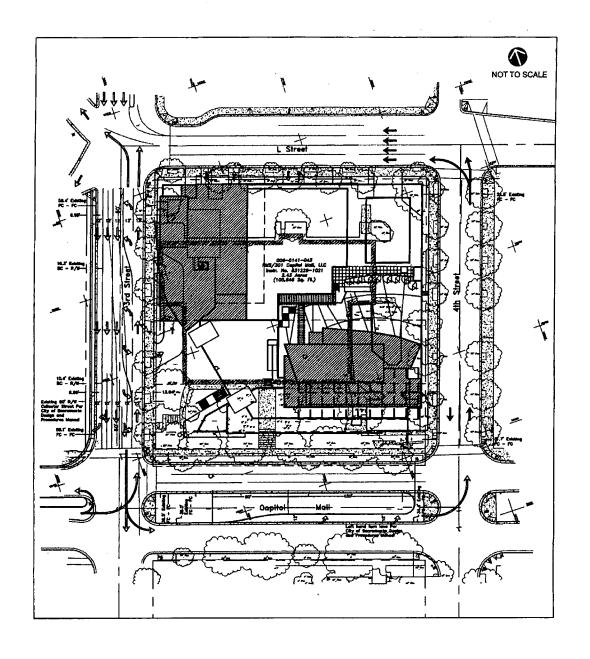
- Metro Place (Mixed Use at 9th Street and J Street)
- Lot A (Office at 6th Street and Capitol Mall)
- Hotel (16th Street and L Street)
- Fremont Mews Residential
- Crocker Expansion
- East End Residential
- The Towers on Capitol Mall

The following roadway improvement was included as a near-term improvement planned by the City or Caltrans:

- Conversion of 3rd Street to two-way operation from I Street to J Street.
- Installation of ramp metering on I-5 between Pocket Road and West El Camino Avenue
- 3rd Street/ P street intersection: Restrict on-street parking during the PM peak period (4:00-6:00 PM) on the west side of P Street

For the Near-Term Plus Project and Year 2025 Plus Project Conditions, the Capitol Mall/3rd Street intersection was analyzed with the lane configurations below:.

- One through/left-turn lane, one through lane, one through/right-turn lane and one right turn lane on the southbound approach
- One left-turn lane, one through lane, and one through/right-turn lane on the westbound approach
- One left-turn lane, two through lanes, and one through/right-turn lane on the eastbound approach



PROJECT SITE PLAN
EXHIBIT 4-5

Exhibit 4-6 displays the peak hour traffic volumes for near-term conditions and the planned roadway improvements.

Cumulative Conditions

The Two Way Streets conversion project is assumed in the cumulative conditions; the P/Q two-way conversion travel demand forecasting model was used to forecast Year 2025 traffic base volume data.

The Year 2025 SACMET model contains the future light rail transit line extensions. In addition, the following roadway improvements are expected to be in place by Year 2025 and are reflected in the model:

• Conversion of P Street and Q Street from one-way operation to two-way operation east of 16th Street.

The P Street/Q Street conversion to two-way operation is identified in the *Metropolitan Transportation Plan* for 2025 (Sacramento Area Council of Governments, May 2002).

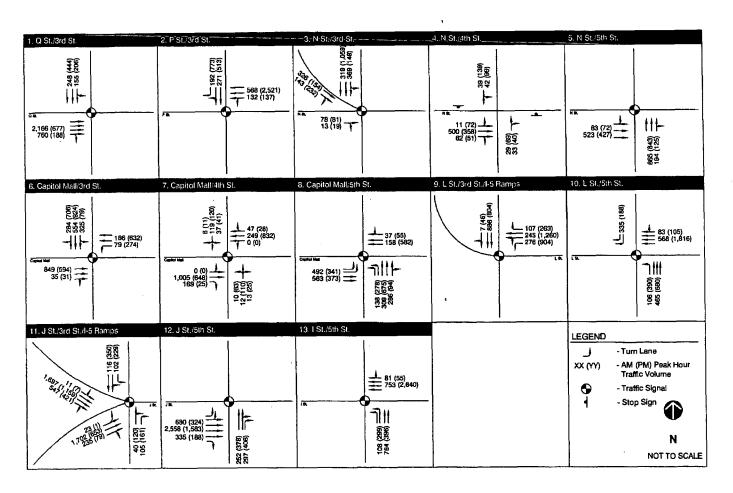
Near-Term Plus Project Conditions

Traffic volumes in the study area were adjusted to reflect the conversion of 3rd Street from L Street to Capitol Mall to two-way operation. This conversion would be in addition to the conversion of 3rd Street to two-way operation from I Street to J Street. The result would be two-way operation on 3rd Street from I Street to Capitol Mall. The AM and PM peak hour traffic volumes with the proposed project are displayed in Exhibit 4-8.

Year 2025 Plus Project Conditions

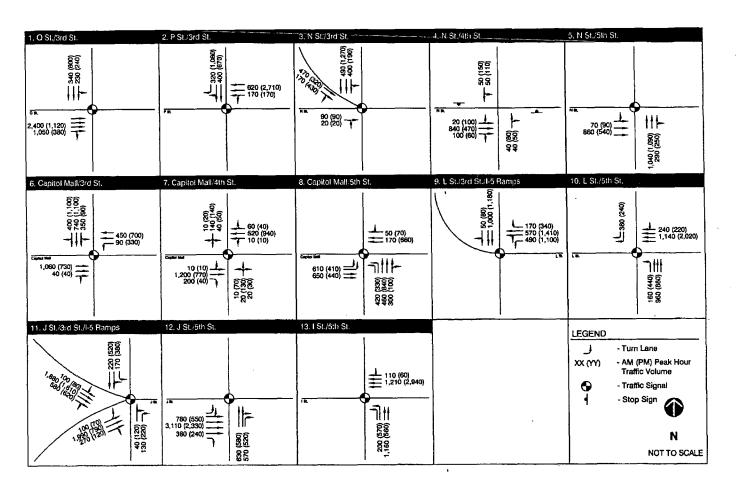
The Year 2025 without the project traffic volumes were adjusted to reflect the conversion of 3rd Street between L Street and Capitol Mall to two-way operation. This conversion would be in addition to the conversion of 3rd Street to two-way operation from I Street to J Street. The result would be two-way operation on 3rd Street from I Street to Capitol Mall.

The resulting AM and PM peak hour traffic volumes with the proposed project are displayed in Exhibit 4-9.



PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS -NEAR-TERM NO PROJECT

ien O.J. 2008 K./Morea/DEV/Projecta (P. Diske)/Moline/2004 Projects/P04-221 JOT Copilal Maik/Jird Street Commission/AutoCADFles/Edited/En4-6_phits_ini_consti EXHIBIT 4 - 6



PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS -CUMULATIVE YEAR (2025) NO PROJECT CONDITIONS

EXHIBIT 4 -7

ANALYSIS RESULTS

The analysis methodologies and traffic forecasts discussed above were used to analyze traffic operations with the additional traffic generated by the proposed project. The LOS results for the study intersections are summarized below. An analysis of on-site circulation for pedestrians and bicyclists, on-site parking, and the location of project driveways are also discussed.

Intersections

Traffic operations were analyzed during the AM and PM peak hours using the intersection geometries and traffic volumes from the Exhibits previously discussed. Tables 5.6-14 and 5.6-15 summarize the peak hour traffic operations under near-term and Year 2025 conditions with and without the proposed project.

For the Near-Term No Project Condition and Near-Term Plus Project Condition all of the study intersections operate at an acceptable LOS C or better except for the following intersections:

- 3rd Street/P Street LOS D during the PM peak hour.
- 3rd Street/J Street LOS E during the AM peak hour and LOS D in the PM peak hour.

For the Year 2025 No Project Condition all of the study intersections operate at an acceptable LOS except for the following intersections:

- 3rd Street/P Street LOS F during the PM peak hour.
- 3rd Street/N Street LOS F during the PM peak hour.
- 4th Street/N Street LOS E for the worst side street movement during the PM peak hour.
- 3rd Street/J Street LOS F during the AM and PM peak hours.
- 4th Street/ Capitol Mall LOS F during AM peak hour
- 5th Street/J Street LOS D during the AM peak hour.

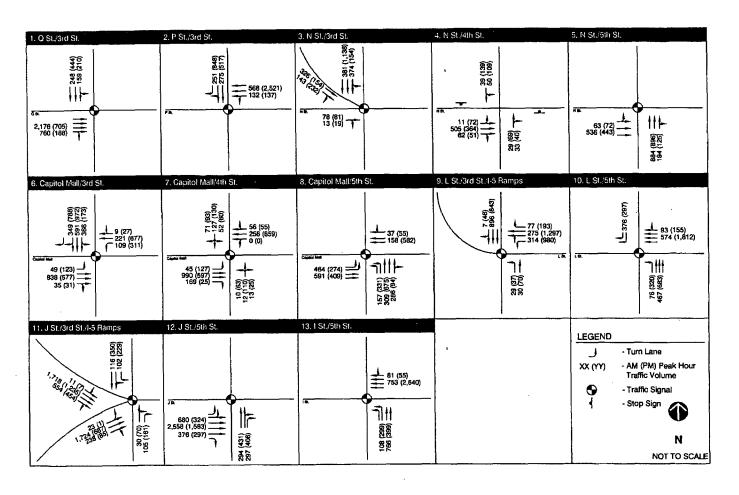
Table 4-14 Peak Hour Intersection Operations - Near-Term Conditions

Average Delay (seconds per vehicle) - Level of Service											
	A.	No Project			Plus Proposed Project						
Intersection	Control	AM PM		AM	PM						
1. 3 rd St./Q St.	Signal	10.9 (B)	8.2 (A)	10.9 (B)	8.2 (A)						
2. 3 rd St./P St.	Signal	7.2 (A)	51.2 (D)	7.2 (A)	51.2 (D)						
3. 3 rd St./N St.	Signal	13.1 (B)	20.6 (C)	17.5 (B)	14.2 (B)						
4. 4 th St./N St.	TWSC1	2.7 (A) 13.4 (B)	8.7 (A) 21.9 (C)	2.8 (A) 13.4 (B)	9.1 (A) 22.7 (C)						
5. 5 th St./N St.	Signal	14.7 (B)	13.7 (B)	12.8 (B)	13.6 (B)						
6. 3 rd St./Capitol Mall	Signal	17.1 (B)	19.4 (B)	22.7 (C)	30.8(C))						
7. 4 th St./Capitol Mall	Signal	33.5 (C)	16.0 (B)	8.9 (A)	13.0 (B)						
8. 5th St./Capitol Mall	Signal	8.4 (A)	12.3 (B)	7.0 (A)	12.4 (B)						
9. 3 rd St./L St.	Signal	11.5 (B)	13.5 (B)	13.3 (B)	13.5(B)						
10. 5 th St./L St.	Signal	8.9 (A)	12.1 (B)	8.9 (A)	12.1 (B)						
11. 3 rd St./J St.	Signal	72.8 (E)	39.0 (D)	72.8 (E)	39.0 (D)						
12. 5th St./J St.	Signal	12.8 (B)	7.3 (A)	12.8 (B)	7.3 (A)						
13. 5 th St./I St.	Signal	11.5 (B)	13.8 (B)	11.5 (B)	13.8 (B)						

(1) TWSC – Two-way stop controlled intersection. Results reported in average delay and LOS above, worst-case movement delay and LOS below.

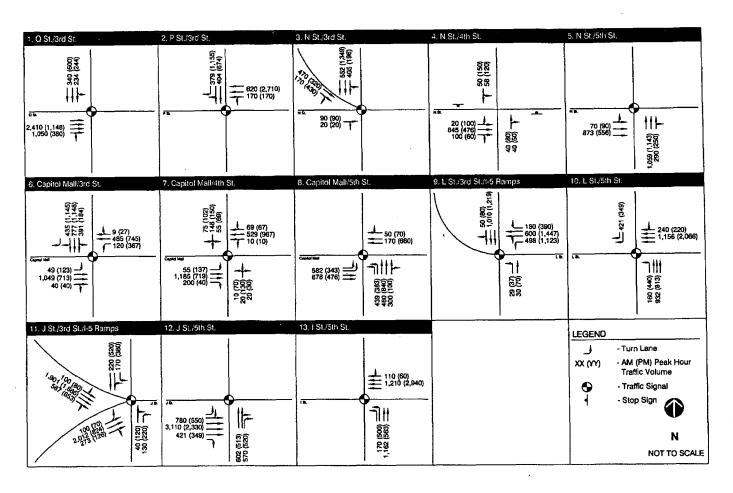
(2) Intersection is impacted by queue spillback from downstream intersections on 16th Street. Bold indicates intersections operating at an unacceptable LOS.

Bold and Italicized indicates intersection with a significant impact due to traffic from the proposed project



PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS -NEAR-TERM PLUS PROJECT CONDITIONS

EXHIBIT 4 - 8



PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS -CUMULATIVE YEAR (2025) PLUS PROJECT CONDITIONS

EXHIBIT 4 - 9

For the Year 2025 Plus Project Condition, all of the study intersections operate at an acceptable LOS except for the following intersections:

- 3rd Street/P Street LOS F during the PM peak hour.
- 3rd Street/N Street LOS F during the PM peak hour.
- 4th Street/N Street LOS E for the worst side street movement during the PM peak hour.
- 3rd Street/Capitol Mall LOS D during the PM peak hour.
- 3rd Street/J Street LOS F during the AM peak hour and LOS E and PM peak hours.
- 5th Street/J Street-LOS E during the AM peak hour

Table 4-15 Peak Hour Intersection Operations - Year 2025 Conditions

Peak Hour Intersection Operations - Year 2025 Conditions											
Average Delay (seconds per vehicle) - Level of Service											
Plus P	Plus Proposed Project										
AM	PM										
14.1 (I	B) 6.0 (A)										
) 8.7 (A	99.5 (F)										
) 22.1 (0	C) 153.7 (F)										
3.4 (A 21.6 (C	, , , , ,										
14.6 (I	B) 15.9. (B)										
16.2 (1	B) 43.1 (D)										
9.7(A	10.6 (B)										
9.4 (A	13.1 (B)										
16.2 (I	B) 29.4(C)										
11.9 (1	B) 15.3 (B)										
) 148.1 ((F) 78.5 (E)										
55.0 (1	E) 10.9 (B)										
14.5 (1	B) 21.3 (C)										
) 5	55.0 (

Notes: (1) TWSC - Two-way stop controlled intersection. Results reported in average delay and LOS above, worst-case movement delay and LOS below.

Bold and Italicized indicates intersection with a significant impact due to traffic from the proposed project

Bicycle & Pedestrian Circulation

Sidewalks curb and gutter will be replaced with construction of the Towers on Capitol Mall project as part of the required frontage improvements on 3rd Street, 4th Street, capitol Mall and L. There are pedestrian traffic signal heads at the intersections of 3rd Street/Capitol Mall, 4th Street/Capitol Mall, 3rd Street/L Street, and 4th Street/L Street. All existing pedestrian indications and crosswalks should be replaced since the traffic signals are modified with the project.

Bike lanes do not currently exist on any of the roadways surrounding the project and there are no bike lanes proposed with the project.

STANDARDS OF SIGNIFICANCE

Impact significance criteria are summarized below for study area intersections, bicycle and pedestrian facilities, and transit facilities.

The standards of significance used to identify traffic impacts of the proposed project and project alternatives are identified below. Mitigation measures are provided for "plus project" conditions since intersections that operate below the City standards under near-term and Year 2025 no project conditions are not the responsibility of the project.

The feasibility of the mitigation is also discussed. Some measures may require right-of-way that is not available through implementation of the proposed project. To implement these measures, right-of-way would have to be acquired. The potential cost of right-of-way acquisition makes the mitigation measures infeasible per Section 15364 of CEQA.

Intersections

The City of Sacramento has established a level of service standard for intersections of LOS C. The level of service is based on the average control delay at signalized and unsignalized intersections. As stated in the City's *Traffic Impact Guidelines* (February 1996), a significant traffic impact occurs under the following conditions:

- The addition of project-generated traffic causes a facility to change from LOS A, B, or C to LOS D, E, or F, or
- The addition of project-generated traffic increases the average stopped delay by five seconds or more
 at an intersection already operating worse than LOS C

This standard is consistent with a goal set forth in the City of Sacramento, General Plan Update (1988). Specifically, Section 5-11 – Goal D, states that the City will, "Work towards achieving a Level of Service C on the city's local and major street system. Due to the constraints associated with existing development in the City, and because of other environmental concerns, this goal cannot always be met."

Bicycle Facilities

A significant bikeway impact would occur if:

- The project hindered or eliminated an existing designated bikeway, or if the project interfered with implementation of a proposed bikeway, or
- The project was to result in unsafe conditions for bicyclists, including unsafe bicycle/pedestrian or bicycle/motor vehicle conflicts

Pedestrian Facilities

A significant pedestrian circulation impact would occur if:

• The project was to result in unsafe conditions for pedestrians, including unsafe increase in pedestrian/bicycle or pedestrian/motor vehicle conflicts

Transit Facilities

A significant impact to the transit system would occur if:

The project-generated ridership, when added to existing or future ridership, exceeds available or planned system capacity. Capacity is defined as the total number of passengers the system of busses and light rail vehicles can carry during the peak hours of operation.

4-1: Near-Term Plus Project Conditions Impact

Third Street conversion between L Street and Capitol Mall according to table 4-14 do not have a significant impact on study intersections; therefore, the impact of the project is considered less than significant and mitigation measures are not required.

4-2: Bicycle, Pedestrian, and Transit Impact

The proposed project will not affect the existing bicycle facilities in the project vicinity. In addition, the proposed project and project alternatives do not interfere with the planned bikeways shown in the Sacramento City/County 2010 Bikeway Master Plan. Implementation of the proposed project would have less than significant impact.

Construction of the project will result in removal of the existing sidewalks on 3rd Street. The construction of the proposed project could result in changes to the traffic signals pedestrian indications and/or intersection crosswalk striping at the intersections of 3rd Street/Capitol Mall, 4th Street/Capitol Mall, 3rd Street/L Street, and 4th Street/L Street. This is considered less than significant impact.

Mitigation Measures are not required.

4-3: Cumulative Impacts

The proposed project would exacerbate unacceptable operations at local intersections under Year 2025 Plus Project Condition.

As shown in Table 4-15, the proposed project would change traffic pattern in the study area during the AM or PM peak hour to the 3rd Street/Capitol Mall and 3rd Street/N Street intersections, which would either degrade the LOS or exacerbate the future LOS (add more than 5 seconds of delay)resulting in **significant impacts.**

4-3: Cumulative Mitigation Measures

Implementation of the following mitigation measures would reduce the above impacts to the 3rd Street/Capitol Mall, 3rd Street/L Street intersections to less-than-significant.

By adjusting the traffic signal timing to match the traffic demands, the intersection of 3^{rd} and Capitol Mall would operate at LOS C during the PM peak hour and will add less than 5 seconds of delay to the $3^{rd}/N$ Street Intersection

If the two way conversion of 3rd Street is approved by the City Council, the City shall monitor the operation of the traffic signal at 3rd Street and Capitol Mall and 3rd Street and N Street and retime the signals to conform to traffic demands as part of the City's Traffic Operation Center function and the applicant of P06-024 project shall pay a fair share fee to recover the costs for the Traffic Operation Center monitoring and retiming.

5. OTHER CEQA CONSIDERATIONS

5. OTHER CEQA CONSIDERATIONS

ALTERNATIVES

INTRODUCTION

The primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6(a) of the CEQA Guidelines, is to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Further, the Guidelines state that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." An EIR must describe a range of reasonable alternatives to the proposed project (or to its location) that could feasibly attain most of the basic objectives of the project. The feasibility of an alternative may be determined based on a variety of factors including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines Section 15126.6(f)(1)).

Consistent with the requirements of a Supplement to an EIR, this section evaluates alternatives to the project that would reduce or avoid any new significant impacts identified in this SEIR. As discussed within the Transportation and Circulation Section, the proposed two way conversion on 3rd Street did not result in new significant impacts; therefore, no alternatives are required.

GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires that the EIR discuss the growth-inducing impacts of the proposed project. Specifically, CEQA states:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Growth-inducing impacts can result from development that directly or indirectly induces additional growth pressures that are more intense than what is currently planned for in general and community plans. An example of this would be the redesignation of property planned for agricultural uses to urban uses. The growth inducement that could result, in this example, would be the development of services and facilities that could encourage the transition of additional land in the vicinity to more intense urban uses. This example does not apply to the project site.

The project site is located within the Central Business District of Sacramento, which is a developed office/mixed use area. The project site is currently being developed with two highrise towers. The utility

systems are expected to be adequate to serve project development. Therefore, the proposed project would not induce growth by providing infrastructure to an unserved or underserved area.

The project site is surrounded by office and related development in an area that is planned to transition to more high rise residential and other urban uses. The project increases the use of existing office and commercial uses in the Central Business District by providing residential uses relative to existing conditions. The planned uses have been fully evaluated in the Towers on Capitol Mall EIR. The project is consistent with the development assumptions used in original EIR. For these reasons, the project would not induce growth beyond the levels assumed in adopted City plans and analyzed in prior environmental documents.

CUMULATIVE IMPACTS

The CEQA Guidelines (Section 15130) require that an EIR discuss the cumulative and long-term effects of the proposed project that adversely affect the environment. The CEQA Guidelines defines cumulative impacts as an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.

The project, in conjunction with proposed development in the vicinity of the project site and within the region, would contribute to cumulative environmental impacts. This cumulative development is assumed to be within the anticipated buildout planning horizon of the City of Sacramento General Plan and the Central City Community Plan.

The impact analysis examines the roadway, transit, and bicycle/pedestrian components of the overall transportation system under near-term and cumulative (Year 2025) conditions with and without the proposed project (Conversion of 3rd Street, between L Street and Capitol Mall to 2-Way Traffic). The analysis resulted in potentially significant cumulative impacts that were found to be mitigated to less than significant levels with adjustments to existing infrastructure. Please see Chapter 4, Transportation and Circulation, for more detail on the assumptions of the cumulative analysis.

IRREVERSIBLE (UNAVOIDABLE) ENVIRONMENTAL IMPACTS

The State CEQA Guidelines mandate that an EIR address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented (State CEQA Guidelines, Section 10126.2(c)). An impact would fall into this category if:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental
 accidents associated with the project or;
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves the
 wasteful use of energy.

Determining whether the proposed project would result in significant irreversible environmental changes requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them.

This section identifies impacts that could not be eliminated or reduced to an insignificant level by mitigation measures as part of the project or other mitigation measures that could be implemented. The final determination of significant impacts is made by the Planning Commission and/or City Council of the City of Sacramento as part of their certification action.

Significant irreversible changes to the environment were described in the Towers on Capitol Mall EIR (2005) and are hereby incorporated by reference.

SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

According to the State CEQA Guidelines (Section 15126.2(b)), an EIR must include a description of those impacts identified as significant and unavoidable should the proposed action be implemented. Such impacts are unavoidable because it has been determined that either no mitigation, or only partial mitigation is feasible, without imposing an alternative design on the project.

The Draft EIR identified significant Impacts for Aesthetics, Air Quality, Cultural Resources, Noise, Public Utilities and Services, and Transportation and Circulation. Mitigation measures were identified to reduce many project impacts to a less-than-significant level. However, significant and unavoidable impacts remain for Air Quality, Noise, Public Utilities and Services, and Transportation.

6. EIR AUTHORS

City of Sacramento

Stacia Cosgrove, Process Manager Development Services Department 915 I Street, 3rd Floor Sacramento, CA 95814

Dana Allen, Project Manager Environmental Planning Services Development Service Department 2101 Arena Blvd., Second Floor Sacramento, California 95834

Samar Hajeer, Senior Civil Engineer Development Engineering Development Services Department 915 I Street, 3rd Floor Sacramento, CA 95814 7. Comment Letters and Responses to the Comments



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Mather, CA 95655

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Website: www.srcsd.com

Dana Allen City of Sacramento Development Services Department 2101 Arena Boulevard, Second Floor Sacramento, CA 95834

April 20, E225.000

Board of Directors

Notice of Availability-Draft Supplemental Environmental Impact Report for Towers on Capitol Mall, and 3rd Street

Conversion Project

County of Yolo

City of Citrus Heights

County of Sacramenta

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacromenta

City of West Sacramento

Mary K. Snyder District Engineer

Stan R. Dean Plant Manager

Wendell H. Kido District Manager

Marcia Maurer Chief Financial Officer Subject:

APN: 006-0141-043

Control No. P06-024 and M05-0167

Dear Mr. Allen:

County Sanitation District 1 (CSD-1) and Sacramento Regional County Sanitation District (SRCSD) have reviewed the Notice of Availability (NOA) of the Draft Supplemental Environmental Impact Report (EIR) for the subject project. The project is within the boundary limits of SRCSD and the Urban Services Boundary (USB). The project is outside the boundary of CSD-1. SRCSD facilities do not exist within the project area and the master plan does not propose any projects within the area. Therefore, we do not foresee any impact to the SRCSD facilities.

If you have any questions regarding these comments, please call Stephen Moore at (916) 876-6296 or me at (916) 876-6094.

Sincerely, Words Hoggard Wendy Haggard, P.E.

Department of Water Quality **Development Services**

WH/JRO: cc

Melenie Spahn cc:

Amber Schalansky

Dave Ocenosak (128-101BC)

allen042006.ltr.doc

Comment Letter 1: Sacramento Regional County Sanitation District

Response to Comment Letter 1: The comment states that the proposed project is within the boundary limits of the SRCSD and the Urban Services Boundary (USB); however, the project is outside the boundary of the CSD-1, and no facilities exist within the project area and no new facilities are proposed within the project area. The comment is noted.

Mail Message

Properties

Print View

From: Mark Sullivan <ms455cmc@pacbell.net>

Dana Allen To:

Date: Thursday - April 6, 2006 3:25 PM
Subject: SEIR Towers on Capitol Mall
Mime.822 (2012 bytes) [View] [Save As]

Dear Dana,

Close

Thank you for sending us the reports. I had a question about why the traffic signal at 4th and L Streets was not included in the study. My concern is regarding the PM peak times when our 200 vehicle garage exits on to L Street @ 50 ft from this 4th Street signal.

Reply to Sender

Sincerely, Mark Sullivan Chief Engineer 455 Capitol Mall Complex

Comment Letter 2: Mark Sullivan, Chief Engineer at 455 Capitol Mall Complex

Response to Comment Letter 2: The comment refers to why the traffic signal at 4th and L Street was not included in the Traffic and Circulation study.

The intersection of 4th and L is not a signalized intersection and was not included in the traffic study since it would not be impacted significantly with 3rd Street conversion. The two way conversion of 3rd Street will improve the operation of the intersection of 4th and L Street since the approved 301 Capitol Mall project was designed to add up a left turn lane at eastbound of Capitol Mall to 4th Street with the conversion that traffic can go on 3rd Street. So with the 3rd Street conversion, the impact of the 301 Capitol Mall project would be less than the approved project.

The next comment refers to the 455 Capitol Mall's vehicle garage exit on L Street, located 50 feet from the 4th and L Street intersection, and what will the impact be from pm peak hour from the proposed project.

L Street is one of the major arterial roads in the downtown area that currently carries approximately 16, 400 vehicles per day, 544 vehicle during the a.m. peak hour and 2,025 vehicles during the p.m. peak hours according to the traffic study prepared for the approved 301 Capitol Mall project. During the p.m. peak hour, exiting from any parking garage and loading dock that is located on L street would be impacted with the high volume of traffic on L Street; therefore, only during the gap in the green cycles between two adjacent signalized intersections, traffic from the parking garages on L Street would be able to merge into L Street traffic. This situation is similar to all parking garages with a driveway located on a main arterial road in the downtown area.

8. MITIGATION MONITORING PLAN

				VERIFICATION OF COMPLIANCE				
Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)		
4.3 The proposed project would exacerbate unacceptable operations at local intersections under Year 2025 Plus project Conditions	4.3 – If the two way conversion of 3 rd Street is approved by the City Council, the City shall monitor the operation of the traffic signal at 3rd Street and Capitol Mall and 3rd Street and N Street and retime the signals to conform to traffic demands as part of the City's Traffic Operation Center function and the applicant of P06-024 project shall pay a fair share fee to recover the costs for the Traffic Operation Center monitoring and retiming.	Applicant	City of Sacramento, Development Services Dept., Development Engineering and Department of Transportation		Prior to the occupancy of the first tower.	City of Sacramento, Development Services Dept., Development Engineering and Department of Transportation		