

AMENDED

SPECIAL PERMIT TO DEVELOP A NINE-STORY, 173,299 SQUARE FOOT OFFICE BUILDING IN THE RIVER PLAZA PUD, LOCATED AT THE SOUTH SIDE OF RIVER PLAZA DRIVE AT OAK HARBOR DRIVE (P89-396)

APPROVED BY THE CITY COUNCIL

MAR 27 1990

OFFICE OF THE CITY CLERK

Notice of Decision and Findings of Fact

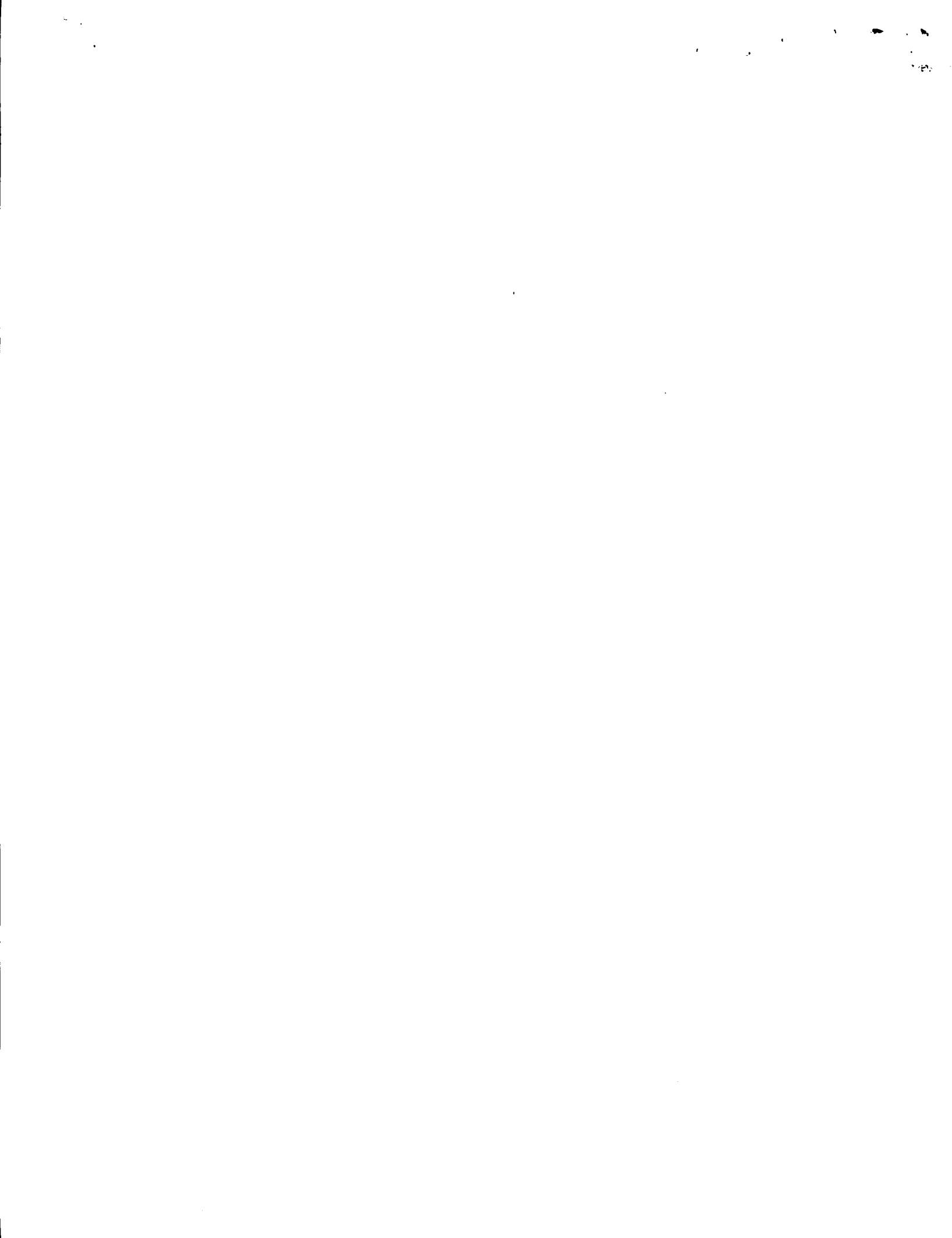
At its regular meeting of MAR 27 1990, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council approved the Special Permit based on the following findings and conditions:

Conditions

1. Pay for the cost (connection fees) of providing water to the site.
2. Participate in the Transportation Systems Management Program (TSM) referenced in the 1988 South Natomas Community Plan. Upon adoption of the TSM Implementation Program by the City, this participation may include but is not limited to provision of trip reduction facilities, a framework for trip reduction services and funds for monitoring and enforcement.

Submit for review and approval (in accordance with the guidelines set forth in the City's TSM Ordinance) with each special permit application, a Preliminary Transportation Systems Management Program designed to achieve the trip reduction level specified in the South Natomas Community Plan or the City's current TSM Ordinance in effect at the time of special permit application, whichever requirement achieves the greater reduction. A draft of the Transportation Management Plan (TMP) shall be submitted at least 60 days prior to issuance of the building permit. A building permit shall not be issued until the TMP has been reviewed and approved by the City's Transportation Division and Planning Division.

Submit for review and approval with each special permit application, documentation demonstrating successful performance of implementation of the TSM facilities for the development.



Incorporate the final, approved TMP in the Covenants, Conditions, and Restrictions (CC & R's) for the project and bind all subsequent owners of the site to all previously agreed upon TSM provisions.

Provide funding and resources to the Transportation Management Association servicing the area as requested and outlined by the City. This participation may include the provision of funding and resources to the Transportation Management Association for the area.

Comply with any applicable requirements of the current City-wide TSM Ordinance.

3. Submit with each special permit application a letter from Regional Transit verifying that Regional Transit has been consulted with regard to the impacts of the development design on transit efficiency and effectiveness in serving the site.
4. Join other South Natomas office/business park developers and employer tenants in working with the Sacramento County Air Pollution Control District to develop a mitigation program consisting of new traffic and air quality mitigation measures not already identified in the South Natomas Community Plan and EIR.
5. Dedicate and improve River Plaza Drive to include five foot bikeways with parking prohibited. Additional bikeway dedication and improvement requirements will be addressed at the special permit stage.
6. Work with the Private Industry Council to develop an employment plan for South Natomas and North Sacramento residents.
7. Cease construction, if at any time during construction, artifacts are discovered, until a qualified archaeologist can examine the find and recommend preservation or possible mitigation if the find is significant.
8. Participate in a Facilities Benefit Assessment (FBA) District or other fair and appropriate financing mechanisms to be formed to finance needed public infrastructure and community facilities in South Natomas. The exact amount of dollar participation in the FBA District for each of the improvements will be specified at the time that the district is formed.

Granting of future discretionary land use entitlements beyond zoning shall be withheld until the FBA or other financing mechanism is in place, unless the applicants agree to participate in the FBA or other equitable funding mechanism to finance needed community facilities at the time of such future discretionary entitlements.

9. The City shall not approve the final project building permit until the Land Use Planning Policy EIR is completed and approved (anticipated for January 1990).

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

10. Contribute 25 percent of the cost of a new bridge over the Natomas Main Drainage Canal.
11. Contribute to the reconstruction and widening of River Plaza Drive between Gateway Oaks Drive and Oak Harbor Drive.
12. Contributions to #10 and #11 above shall be \$300,000 and shall be adjusted correspondingly with the Construction Cost Index as reported in the Engineering News Record on or after January 1, 1988. In the event that the contributions to #10 and #11 above are less than \$300,000, applicant/property owner agrees to contribute up to \$300,000 maximum, if required to do so by the City, for use in other traffic projects of direct benefit to the project site.
13. Enter into an agreement with Riverbank Marina, which would make on-site parking available for patrons of Riverbank Marina, before and after River Plaza Office Park hours. Providing that River Plaza may require reasonable items, including but not limited to liability insurance, provision for maintenance and provision for security.
14. Provide pedestrian access, including handicap access, from the above mentioned parking area across Garden Highway to the satisfaction of the City Traffic Engineer. A signal for such access, provided by the applicant, shall be evaluated as one of the selected alternatives and may be required.
15. River Plaza Drive shall be rebuilt to an 80 foot right-of-way between Gateway Oaks Drive and Natomas Main Drainage Canal to the alignment on file with the City Traffic Engineer.

16. The applicant shall submit a detailed landscape plan to Planning staff for review and approval prior to issuance of building permits.
17. The attached sign for the building shall be located at the base level or below.
18. The applicant shall submit a detailed sign program to be reviewed and approved by Planning staff and Natomas Community Association prior to issuance of sign permits.
19. The applicant shall construct the amphitheater and water feature as a part of Phase I development or submit a financial guarantee to the City that the amphitheater shall be constructed within two years of receipt of a Certificate of Occupancy for Phase I of the project.
20. All on-site grading, paving and drainage shall be approved by Public Works Department prior to issuance of building permit.
21. The applicant shall construct full improvements on River Plaza Drive to the satisfaction of Traffic Engineering.
22. All driveways shall be to the satisfaction of the City Traffic Engineer.
23. The applicant shall dedicate easements for bike trails adjacent to Natomas Main Drainage canal and Garden highway levee toe reinforcement.
24. The applicant shall construct bike trails to the satisfaction of the City Traffic Engineer.
25. The applicant shall dedicate slope easements for River Plaza Bridge.
26. The applicant shall relocate the pedestrian access including stairway to connect with Riverbank Marina development. The location and design of pedestrian access shall be reviewed and approved by City Planning, Traffic Engineering and the Natomas Community Association prior to issuance of permits.
27. The applicant shall locate the number and size of on-site trash enclosures to the satisfaction of the Solid Waste Division.
28. The applicant shall fence all oak trees during construction to the satisfaction of the City Arborist and also post the following on-site: "Trees are Heritage Oaks and protected by the City of Sacramento."


29. Approval of the Special Permit is based on the design plans submitted to the City Council and construction of the project shall conform to those plans and as modified by conditions of approval.
30. Provisions for child care shall be provided in Phase Two.
31. Require Public Works to report back on prohibition of parking on the north side of Garden Highway.
32. Provide a covered waiting area for persons using the shuttle bus.
33. Phase I and Phase II shall not exceed 336,600 square feet of floor area.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the proposed office building is consistent with the previously approved River Plaza PUD.
2. The project, as conditioned, will not be detrimental to the public welfare in that adequate parking, landscaping, building setbacks and quality of design and materials will be provided.
3. The project is consistent with the General Plan, South Natomas Community Plan and the River Plaza PUD in that the site is designated for office use.


MAYOR

ATTEST:


CITY CLERK

P89-396.CC

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MAYOR

ATTEST:


CITY CLERK

P89-396.CC



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Copy*

OFFICE OF THE
CITY CLERK

OPERATION SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 304
915 I STREET
SACRAMENTO, CA
95814-2671

916-449-5426

April 18, 1990

River Plaza Associates
7700 College Town Drive, Suite 101
Sacramento, CA 95826

On March 27, 1990, the City Council adopted Findings of Fact for the following matter:

Special Permit to develop a nine-story, 173,299 square foot office building in the River Plaza PUD, located at the south side of River Plaza Drive at Oak Harbor Drive.

Enclosed, for your records, is a certified copy of said Findings of Fact.

Sincerely,

Valerie A. Burrowes
City Clerk

cc/3.3

Enclosure

cc: Planning Division
AKT Development Corp., 7700 College Town Dr. Ste 101, SAC 95826