

AMENDED 11/05/92

ORDINANCE NO. 92-065

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 5 1992

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 1331 GARDEN HWY. FROM THE AMERICAN RIVER PARKWAY-FLOOD (ARP-F) ZONES AND PLACING THE SAME IN THE OFFICE BUILDING-PLANNED UNIT DEVELOPMENT (OB-PUD) ZONE(S)

(P90-345) (APN: 274-0050-027)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

The territory described in the attached exhibit(s) which is in the American River Parkway-Flood (ARP-F) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zones and placed in the Office Building-Planned Unit Development (OB-PUD) zone(s), or a more restrictive zone.

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.

FOR CITY CLERK USE ONLY

92-065

ORDINANCE NO.: _____

DATE ADOPTED: NOV 5 1992

City Planning Commission
Sacramento, California

Members in Session

- Subject: A. Certification of the Environmental Impact Report (SCH No. 91012011).
- B. Findings of Fact and Statement of Overriding Considerations
- C. Mitigation Monitoring Plan.
- D. General Plan Amendment of 5.7± vacant acres from Parks, Recreation, and Open Space to Community/Neighborhood Commercial & Offices.
- E. South Natomas Community Plan Amendment of 5.7± vacant acres from Riverfront District to Office/Office Park.
- F. Rezone of 5.7± vacant acres from American River Parkway-Flood (ARP-F) to Office Building-Planned Unit Development (OB-PUD).
- G. Adoption of Planned Unit Development (PUD), Development Guidelines and Schematic Plan Designation to be known as The Sierra Foundation Center PUD.
- H. Special Permit to allow a three story (above grade) 23,000 square foot office building to house the Sierra Foundation Center corporate headquarters on 5.7± vacant acres in the Office Building-Planned Unit Development (OB-PUD) zone.
- I. Special Permit to allow a three story (above grade) 37,000 square foot office building on 5.7± vacant acres in the OB-PUD zone.

Location: 1331 Garden Highway

BACKGROUND INFORMATION

On September 24, 1992, the City Planning Commission heard and considered public testimony regarding the above mentioned entitlements. Based on verbal and documentary evidence at the hearing, the Commission indicated its intent to approve the various entitlements listed above, subject to conditions and based on findings of fact which follow.

APPLC.NO.P90-345 MEETING DATE October 1, 1992

ITEM NO.1

92-065 NOV 5 1992

The Planning Commission found the proposed project to be a viable office use which would serve the public and be an asset to the City of Sacramento. There were a few items discussed and modified as part of the Commission's recommendation to approve the proposed project. For instance, the Commission concurred with the applicant's justification that phasing the development would be very costly. Therefore, staff's recommendation to phase the two office buildings was eliminated. Additionally, the applicant agreed to donate \$100,000 dollars to the City for river-related improvements.

The applicant indicated, at the hearing, that conference rooms would be located within the office buildings and conferences would occur on the subject site. The proposed conference room will be 2,200 square feet and based on total room occupancy, a total of 147 people could occupy the conference room. To insure that adequate parking will be available and parking will not spill onto Garden Highway, staff would recommend that a minimum of 214 parking spaces be provided on the site to accommodate the parking demand. Currently, the parking requirement for office uses in PUD's requires not less than one space for each 350 feet of gross floor area and not more than one space for each 275 feet of gross floor area (Based on parking requirement: 171 parking spaces min. and 218 parking spaces max. would be required). The 214 parking spaces proposed on the subject site would fall within the parking range and is very close to providing the maximum number of spaces.

Finally, Planning staff recommends that the proposed PUD Guidelines be modified to comply with the revised project prior to City Council action.

Commission Action: Based on verbal and documentary evidence at the September 24, 1992 public hearing, the Planning Commission indicated its intent to take the following actions:

- A. Recommend Certification of the Environmental Impact Report (SCH No. 91012011) and forward to City Council.
- B. Recommend adoption of the Findings of Fact and Statement of Overriding Considerations and forward to City Council.
- C. Recommend adoption of the Mitigation Monitoring Plan and forward to City Council.
- D. Recommend approval of the General Plan Amendment of 5.7+ vacant acres from Parks, Recreation, and Open Space to Community/Neighborhood Commercial & Offices and forward to City Council.

- E. Recommend approval of the South Natomas Community Plan Amendment of 5.7± vacant acres from Riverfront District to Office/Office Park and forward to City Council.
- F. Recommend approval of the Rezone of 5.7± vacant acres from American River Parkway-Flood (ARP-F) to Office Building-Planned Unit Development (OB-PUD) and forward to City.
- G. Recommend adoption of the Planned Unit Development (PUD), Development Guidelines and Schematic Plan Designation to be known as The Sierra Foundation Center PUD and forward to City Council.
- H. Approve the Special Permit to allow a three story (above grade) 23,000 square foot office building to house the Sierra Foundation Center corporate headquarters on 5.7± vacant acres in the Office Building-Planned Unit Development (OB-PUD) zone subject to conditions and based on findings of fact which follow.
- I. Approve the Special Permit to allow a three story (above grade) 37,000 square foot office building on 5.7± vacant acres in the OB-PUD zone subject to conditions and based on findings of fact which follow.

Conditions of Approval:

1. A formal agreement between the City of Sacramento (Parks & Community Services Division/Planning Division) and the Developer shall be established. The agreement shall specify that a total of \$100,000 dollars shall be donated to the City of Sacramento for river-related improvements prior to issuance of a building permit. This funding shall go towards improvements which would provide public access and/or use of the Sacramento River and environs.
2. A site plan depicting the alignment of the bikeway on the subject site shall be submitted for the review and approval of the Transportation Division prior to issuance of building permits.
3. The Sierra Foundation Center shall occupy Building A for a minimum of 10 years unless a different time frame is approved by the City Council.
4. The project shall receive all State approvals prior to issuance of building permits.

5. The applicant shall comply with requirements included in the Mitigation Monitoring Plan developed by the Environmental Services Division and kept on file in the Planning Division Office (P90-345).
6. The design and material for the "estate wall" and retaining walls, as indicated on the submitted site plan, shall be subject to review and approval by the Design Review/Preservation Board prior to issuance of building permits.
7. The trash enclosures located on the subject site shall comply with the City's Trash Enclosure Ordinance and Recycling Ordinance. The trash enclosure located near the entry of the driveway to the east shall be relocated.
8. A detailed landscape plan shall be submitted to City staff for review and approval prior to issuance of building permits. The detailed landscape plan shall include the restoration plan required in the Environmental Impact Report and by the State Lands Commission.
9. Those areas designated as "service areas" on the submitted site plan shall be defined and approved by the Planning Director and the City's Traffic Engineering Division prior to issuance of building permits.
10. The proposed project shall be subject to review and approval by the Design Review/Preservation Board and Natomas Community Association prior to issuance of building permits. (Amended by City Council)
11. The applicant shall work with Planning Division staff to revise the submitted PUD Guidelines to comply with the modified project approved by the Planning Commission prior to City Council action on the project.
12. Specific elevations and dimensions of signage shall (attached/detached) be reviewed and approved by the Planning Director prior to issuance of sign permits. Sign Guidelines shall be incorporated into the PUD Guidelines.
13. A total of 214 parking spaces shall be provided on the subject site. All surface parking and paving areas shall meet the 50% shading requirement.
14. The project applicant shall submit a Transportation Management Plan (TMP) to the satisfaction of the Traffic Engineer and Planning Director prior to issuance of building permits.

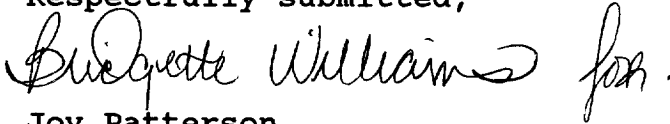
15. Parking shall provide adequate maneuvering area to the satisfaction of the Traffic Engineer.
16. The proposed project shall be inspected by the Planning Director prior to issuance of occupancy permits.
17. Applicant shall work with the City of Sacramento to develop a Restoration & Habitat Management Plan with emphasis on on-site mitigation. (Amended by City Council)
18. Sierra Foundation shall make available 4,000 square feet of office space on the ground floor of Building B, for rent free to the City of Sacramento, for a library and/or community center purposes for a period of 5 years. An agreement between the Sierra Foundation and the City of Sacramento shall be established prior to issuance of a building permit for Building A and Building B. (Amended by City Council)
19. A "No Parking" sign shall be in place in front of the subject property at the completion of landscaping on the subject site. (Amended by City Council)

Findings of Fact - Special Permits

1. The project is based upon sound principles of land use in that:
 - a. the project is designed in a matter in which the buildings will only cover nine percent of the subject site in order to provide view corridors of the river and protect the sensitive habitat;
 - b. the proposal complies with the criteria for "Special Developments in the Flood Zones" in that
" the development will have direct access to a major collector street; adequate setbacks, landscaping and on-site parking will be provided; and the project provides view corridors of the Sacramento River from Garden Highway."
2. The project will not be detrimental to the public health and welfare in that:
 - a. the proposed development will not encroach on the Sacramento River floodway;
 - b. the project is designed in accordance with the floodplain guidelines and includes "flow through" provisions to pass floodwater.

- c. a restoration plan will be provided to mitigate the loss of sensitive riparian habitat;
 - d. the proposal is subject to required State and Federal approvals for development along the Sacramento River prior to issuance of building permits; and
 - e. adequate on-site parking, setbacks and landscaping will be provided.
3. The proposed project is consistent with policies in the South Natomas Community Plan in that:
- a. the project proposes to amend the General Plan and Community Plan to allow for office uses which will be compatible with the surrounding land uses and not impact the Sacramento River;
 - b. the project offers an alternative trade off for public access to the Sacramento River; and
 - c. the proposed project is consistent with the policies in the Community Plan for office developments to provide a campus like environment with a high percentage of landscape coverage.

Respectfully submitted,

 for.

Joy Patterson
Senior Planner

Report Prepared by,

Bridgette Williams
Associate Planner

- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission on October 1, 1992, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.
- * c. In the decision of the City Council to approve the rezone with amended conditions related to Design Review, a Restoration and Habitat Plan, a library use in Building B, and parking along Garden Highway, are incorporated as conditions #10, #17, #18 and #19, respectively, in the amended Special Permit (attached Exhibit A).

SECTION 2

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this Ordinance.

SECTION 3

Rezoning of the property described in the attached exhibit(s) by the adoption of this Ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION: 10/20/92

PASSED: NOV 5 1992

EFFECTIVE: 12/5/92


MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

P90-345
* amended cc 11/05/92

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