

P93-071

REQUEST:

- A. Negative Declaration
- B. Mitigation Monitoring Plan
- C. Special Permit to allow a 14-unit apartment building on 0.44± vacant acres in the General Commercial (C-2) zone;
- D. Special Permit to exceed the 35-foot height limit for a 39-foot high, three-story mixed-use development including 5,908 square feet of retail space and a 48-seat restaurant;
- E. Variance to reduce the parking requirement from 45 to 28 spaces (waive 17 spaces);
- F. Variance to encroach five feet into the required five-foot street side yard setback;
- G. Variance to encroach 3.5 feet into the required five-foot rear yard setback; and
- H. Variance to encroach five feet into the required five-foot interior sideyard setback for a detached single-level garage.

LOCATION:

2131 16th Street (NE Corner of 16th and V Streets)
Assessor's Parcel Number: 009-0154-023
Central City, Midtown Area
Sacramento Unified School District
Council District 3

APPLICANT:

Henry F. Yee, 368-4206
3050 Fite Circle, Suite 200, Sacramento, CA 95827

OWNER:

Chung Ill Kim
815 Cobble Cove Court, Sacramento, CA 95831

APPLICATION FILED:

April 8, 1993

STAFF CONTACT:

Mike Dale, 264-5381

SUMMARY/RECOMMENDATION: The applicant is requesting the necessary entitlements to locate a residential use in a commercial zone, to exceed the maximum allowable height, and to encroach into the required setback areas for a mixed-use building. The applicant is also seeking permission to waive a portion of the standard parking requirement.

The City's Zoning Ordinance makes allowance for residential uses in commercial zones subject to Planning Commission review and approval of a Special Permit. Staff considers the proposed use to be compatible with the surrounding mix of residential and commercial land uses. Similarly, the absence or reduction of building setbacks is found to be consistent with the surrounding development.

The proposed building will exceed the zone's height limit by only four feet. The building will be located along 16th Street, and parking will separate the proposed building from the existing apartment building complex to the east. The additional height of the proposed building is not anticipated to adversely affect the adjacent land uses. Due to the location, design, and indicated use of the proposed building, staff recommends approval of the project subject to conditions.

PROJECT INFORMATION:

General Plan Designation:	Community / Neighborhood Commercial & Offices
Community Plan Designation:	General Commercial
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	General Commercial (C-2)

Surrounding Land Use and Zoning:

North: Paved Alley, Unpaved Parking Area, "Tae Kwon Do" Shop; C-2
 South: V Street, Commercial; C-2
 East: Multi-Family; R-3A
 West: 16th Street, Bar, Parking, Office; C-2

Setbacks: Required: Provided:

Front:	7 feet	7 feet
Rear:	6 feet	1.5 feet
Street Side:	5 feet	0 feet
Interior Side:	5 feet	0 feet

Property Dimension:	120' x 160'
Property Area:	0.44± net acres
Density of Development:	32 du/na

Square Footage of Building: 21,920 gross square feet

Permitted Building Height: 35 feet
 Proposed Building Height: 39 feet
 Exterior Building Materials: Cement Plaster and Ceramic Tile Exterior, Metal Balconies
 Roof Material: Fiberglass Shingles
 Parking Provided: 28 spaces
 Parking Required: 45 spaces

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
City Tree Trimming Permit	City Arborist
Building Permit	Building Division

BACKGROUND INFORMATION: The subject site is located on the northeast corner of 16th and V Streets in the Central City Community Plan area. A paved alley is located along the site's northern boundary and separates the site from a two-story ("Tae Kwon Do") commercial building in the C-2 zone and a two-story apartment building in the R-3A zone. A two-story apartment complex (Villa Apartments) is located east of the site in the R-3A zone, and a single-story commercial building is located opposite V Street to the south in the C-2 zone. Diagonally across the 16th/V intersection exists a single-story commercial building also in the C-2 zone.

The applicant's current design proposal (as shown in the attached exhibits) is the result of a series of meetings with the City's Design Review staff (DR93-211). On September 1, 1993, the project went before the Design Review/Preservation Board and was approved subject to conditions.

STAFF EVALUATION:

A. Policy Considerations

The proposal constitutes a high-density, "mixed-use" project, and the following General Plan policies promote such projects as follows:

- Promote mixed-use development of community / neighborhood commercial districts through new construction and revitalization (Policy 4, Goal B, Sec. 4-18).
- Promote the development of mixed-use local commercial/office and high density residential projects (Policy 2, Sec. 4-18).

The Central City Community Plan also promotes high-density, mixed-use projects as follows:

- Encourage mixed land uses including high density residential uses in and around the CBD in order to increase the economic viability and

livability of the area (p.4).

In light of the above General Plan and Community Plan policies which promote high-density, mixed-use projects in and around existing commercial development, and in light of the Central City Housing Strategy which encourages the retention of residential land uses in the Central City, the proposal is considered to be compatible with the surrounding urban environment which supports a wide range of both residential and commercial development.

B. Site Plan Design / Zoning Requirements

The site plan (attached) indicates the location of 5,908 square feet of retail space, 2,792 square feet of restaurant space, and 28 on-site parking spaces at the street level. The retail space will be located in suites A, B, C, D, and E (as shown), and the 48-seat restaurant will be located in suite F. A row of fourteen single-car garages will be established along the eastern property boundary for the exclusive use of the 14 townhouse apartments to be located on the second and third floors of the building. Private, gated entry to the garages will be located off of V Street. The remaining 14 covered parking spaces will be located along the northern property boundary and will serve the commercial component of the project. Trash enclosures will be located at the north-east corner of the lot, adjacent to the proposed six-foot high masonry wall and abutting the existing alley.

Setbacks. The proposal requires the approval of variances for building setbacks along the western, eastern, and northern property boundaries. The City's Zoning Ordinance requires a five-foot setback along the street side-yard (along 16th Street) and along the interior side-yard (eastern boundary abutting the apartment complex); no setback is proposed for these areas. The Zoning Ordinance also requires a five-foot setback along the rear-yard (northern boundary abutting the alley); only a 1.5-foot setback is proposed. The applicant has requested the proper entitlements to waive all or a portion of these required setbacks. Staff supports the applicant's request for the following reasons:

- **Street side-yard.** The commercial building located north of the subject site and north of the existing alley has no setback along 16th Street. Furthermore, based on a general survey of the mid-town area, staff found that a great number of the existing ground-floor commercial uses provide only a minimal setback, if any. Due to the prominent location of the site at the corner of 16th and V Streets, and the precedence established by existing commercial buildings in the area where no or minimal setback is provided, staff supports the applicant's request to waive the street side-yard setback.
- **Interior side-yard.** The Zoning Ordinance requires a five-foot interior side-yard setback when a commercially zoned lot abuts a residentially zoned lot.

A six-foot high masonry wall is also required along property lines when a non-residential use abuts a residential use. The proposal includes a six-foot high, concrete-block wall as required by the Zoning Ordinance. The wall will serve to insulate the abutting multi-family residential use from the proposed commercial use, and will also serve as a supporting wall for each of the 14 garages. Staff supports the zero setback along the eastern boundary due to the non-intensive nature of the garages and the ability of the garages to further mitigate the noise intrusion of the commercial uses.

- **Rear-yard.** Due to the presence of the residentially zoned lot located north-east of the subject site, the Zoning Ordinance requires a 25-foot rear-yard setback. However, the required setback may be reduced to five feet due to the presence of the 20-foot wide alley. The applicant proposes a 1.5-foot setback along only that portion of the alley which abuts the existing commercial building. An adequate setback will be provided along that portion of the alley which abuts the residential lot. Staff believes that the proposal meets the intent of the Zoning Ordinance and will not adversely impact either the existing commercial building or the existing apartment building on the residential lot. Staff therefore supports the applicant's request to encroach 4.5 feet into the required rear-yard setback area.

The rear-yard setback requirement for the proposed trash enclosures is 15 feet. However, the 20-foot alley provides a more than adequate setback, and no entitlement is required in this case.

Recycling. New developments of this type are required to submit a Statement of Recycling Information and meet the Volume Requirements and Design Guidelines for Enclosures and Receptacles. Upon review of the Statement of Recycling Information which was submitted by the applicant, staff found that insufficient information was provided. Therefore, prior to issuance of building permits, staff recommends that the applicant submit the above information in addition to an Education/Public Relations Program for purposes of instructing users of the development about the benefits of recycling and how to recycle.

Parking. As shown in the table, below, staff calculates that the proposal requires 45 on-site parking spaces. Since only 28 spaces are shown on the site plan, the applicant must obtain a variance to waive 17 of the required spaces.

Land Use	Parking Ratio	Parking Requirement
5,908 sf retail	1 per 400 sf	15
48-seat restaurant	1 per seat	16
14 dwelling units	1 per du	14
Total:		45

The site plan indicates that adequate on-site parking will be provided for the building's tenants (1 space per dwelling unit). The remaining on-site parking area (along the northern boundary) will serve the buildings retail and restaurant uses. The applicant has verbally indicated that the restaurant space will function as a cafe/delicatessen with limited table service and limited food preparation. As such, staff believes that the restaurant will not become a regional destination, but rather be patronized by local merchants, residents, and business-persons who will walk to the facility. In addition, based on parking surveys conducted during various times of the day and on different days (see Exhibit D), staff has found that sufficient on-street parking is available in close proximity to the subject site. The additional *(one)* off-street parking space required for the retail uses could easily be absorbed by the public streets. Staff therefore supports the applicant's request to waive 17 parking spaces provided that the restaurant is in the form of a cafe or delicatessen.

Staff notes that a bus-stop is ideally located adjacent to the subject site along 16th Street. Staff believes that the public transit system may be utilized by the future tenants, merchants, and patrons of the proposed building thereby further lowering the demand for parking.

Landscaping. The site plan shows existing and proposed landscaping in planter strips located along both 26th and V Streets. The City Arborist has reviewed the plan and has indicated that all existing City street trees should be preserved. In addition, a protective six-foot high chain-link fence should be erected around all existing City street trees during construction activities. A permit from the City Arborist will be required prior to the commencement of any trimming of City street trees. Furthermore, when the sidewalks are repaired as required by the Department of Public Works, a root inspection shall be conducted by a certified arborist prior to the cutting of any roots greater than two inches in diameter. Staff recommends that a landscape plan be submitted to Planning staff for review and approval prior to issuance of building permits. The landscape plan shall indicate the exact location of the protective fencing, and the location of any additional landscaping within the public right-of-way.

C. Building Design

The proposed building will provide space for five separate retail suites, a 48-seat restaurant, and 14 townhouse apartments. Each apartment unit will constitute 900 square feet each and will have a kitchen, dining room, living room, balcony, fireplace, two bedrooms, and two-and-a-half bathrooms. Access to the apartment units will be via two common entrances on the ground-floor (one facing west, one facing east). The building's exterior will consist of cement plaster, ceramic tile, fiberglass shingles, and metal balconies. Awnings will be installed above each window on the ground-floor facing both 16th Street and V Street.

According to the Zoning Ordinance, the height of structures located on lots within the C-2 zone which are within 100 feet of a residentially zoned lot should be limited to 35 feet. Since the subject site abuts a residentially zoned lot to the east, the 35-foot height limitation is applicable. However, in order to achieve the architectural style as approved by the Design Review Board, the mixed-use building must exceed the height limit by approximately four feet. The applicant has therefore requested a special permit to exceed the height limit.

According to the manager of Villa Apartments, tenants are concerned about the potential loss of sun-light and the inherent increase in shading that will be caused by the proposed three-story structure. Concerns about increased noise caused by vehicles were also mentioned.

Staff believes that the additional four feet in height will not cause a substantial increase in shading. The proposed building will be situated approximately 48 feet from the eastern property line and will be separated from the easterly apartment complex by a solid masonry wall, a row of enclosed garages and needed maneuvering area. Due to the distance between the proposed building and the existing apartment complex, the additional four feet in building height is not expected to cause a marked increase in shading. Staff therefore supports the applicant's request for the special permit to exceed the 35-foot height limit by a maximum of four additional feet.

Also, staff believes that the proposal will actually mitigate existing and future noise levels. The wooden fence located along the eastern boundary will be replaced by a solid six-foot high masonry wall; the row of garages will peak at about ten feet in height thereby affording greater noise buffering; and vehicular access to the center of the site will be restricted to tenants and delivery vehicles via a private, gated entrance. Due to these factors, future noise impacts are not anticipated to be significant, and existing noise levels may actually be reduced.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact upon the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address water, trees, noise and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit E).

B. Public / Neighborhood / Business Association Comments

The project site is located within the defined areas of interest for the following neighborhood and merchants groups: Sacramento Old City Association, the Midtown Business Association, the Richmond Grove Neighborhood Association, the Sacramento Downtown Association, and the Central City Alliance of Neighborhoods. Copies of the project application were sent to these organizations but no comment was received. However, staff did receive two phone calls from local property owners who both contended that the project vicinity was suffering from a shortage of parking. Staff subsequently conducted additional parking surveys and found adequate on-street parking to be available within the project's vicinity.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Department of Public Works

The Department of Public Works noted that all curbs, gutters, sidewalks, driveways, alleys, and streets shall be constructed to City standards. Also, all on-site grading, paving, and drainage shall be approved by Public Works prior to issuance of building permits.

2. Building Inspections Division

The Building Inspections Division noted that property-line fire protection requirements per chapter 5 of the Uniform Building Code should be met.

3. City Arborist

See discussion on *Landscaping*, above.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny all or a portion of the entitlements listed below. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

Staff recommends that the Planning Commission take the following actions:

A. Ratify the Negative Declaration;

B. Adopt the Mitigation Monitoring Plan via the attached resolution;

- C. Approve the following entitlements via the attached resolution.
1. Special Permit to allow a 14-unit apartment building on 0.44± vacant acres in the General Commercial (C-2) zone;
 2. Special Permit to exceed the 35-foot height limit for a 39-foot high, three-story mixed-use development including 5,908 square feet of retail space and a 48-seat restaurant;
 3. Variance to reduce the parking requirement from 45 to 28 spaces (waive 17 spaces);
 4. Variance to encroach five feet into the required five-foot street side yard setback;
 5. Variance to encroach 3.5 feet into the required five-foot rear yard setback; and
 6. Variance to encroach five feet into the required five-foot interior sideyard setback for a detached single-level garage.

Report Prepared By,

Mike Dale

Mike Dale, Assistant Planner

Report Reviewed By,

Steve Peterson

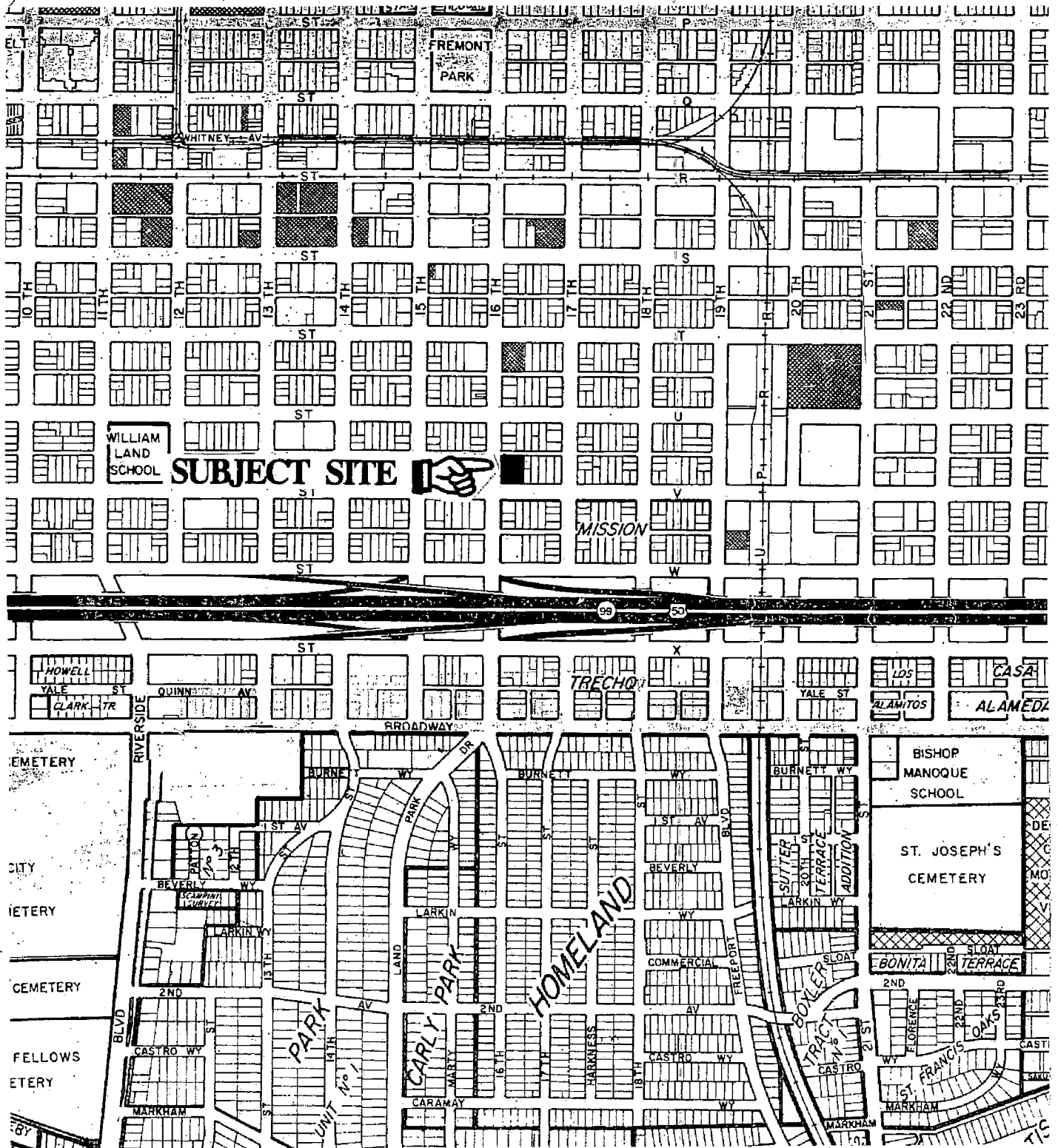
Steve Peterson, Senior Planner

Attachments

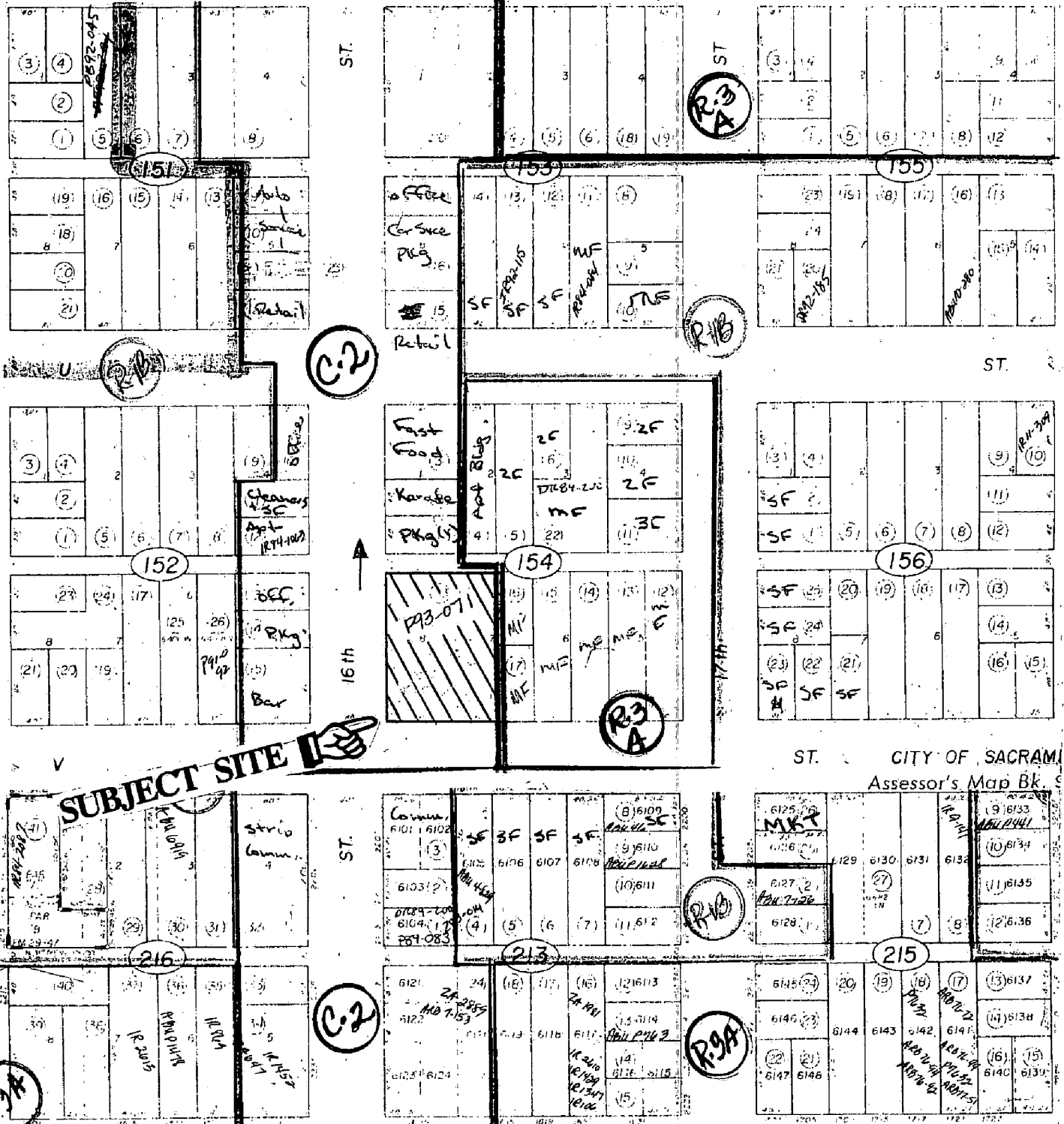
Attachment A
Attachment B
Attachment C
Attachment D
Exhibit A
Exhibit B
Exhibit C
Exhibit D
Exhibit E

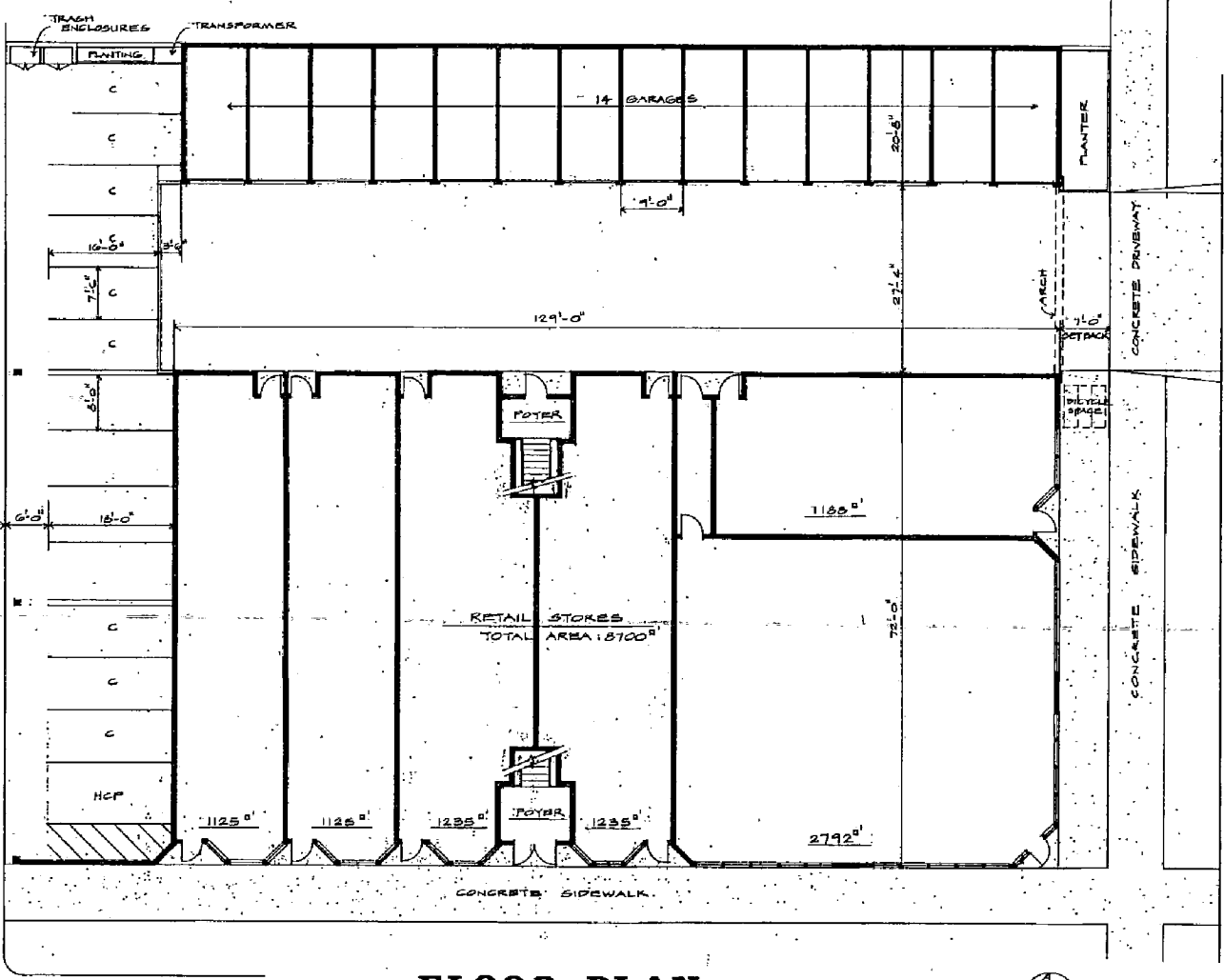
Vicinity Map
Land Use and Zoning Map
Resolution - Entitlements
Resolution - Mitigation Monitoring Plan
Site Plan
Floor Plans
Elevations
Parking Survey
Mitigation Monitoring Plan

Attachment A Vicinity Map



Attachment B
Land Use and Zoning Map





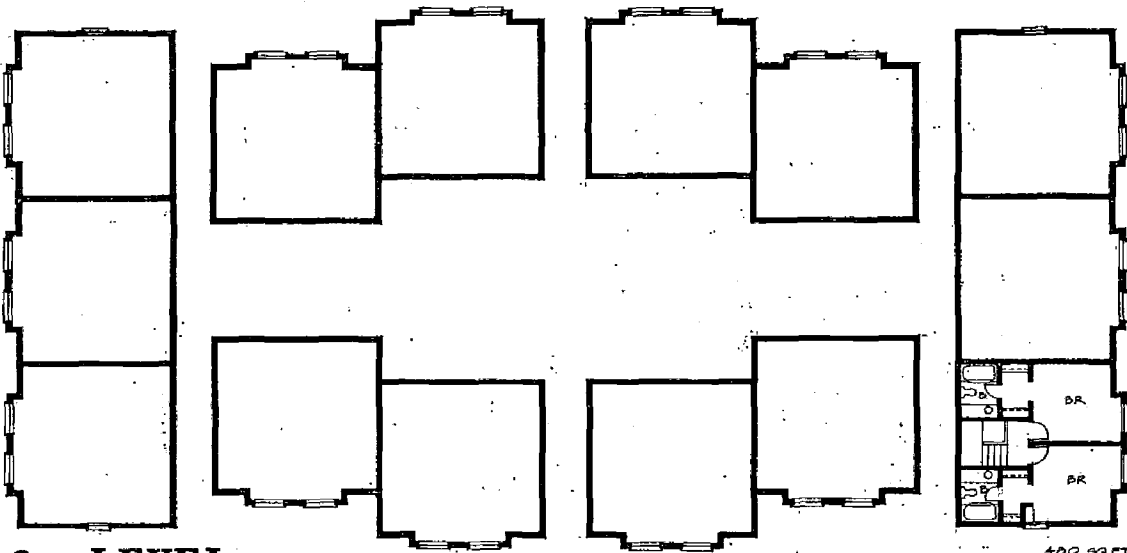
FLOOR PLAN

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



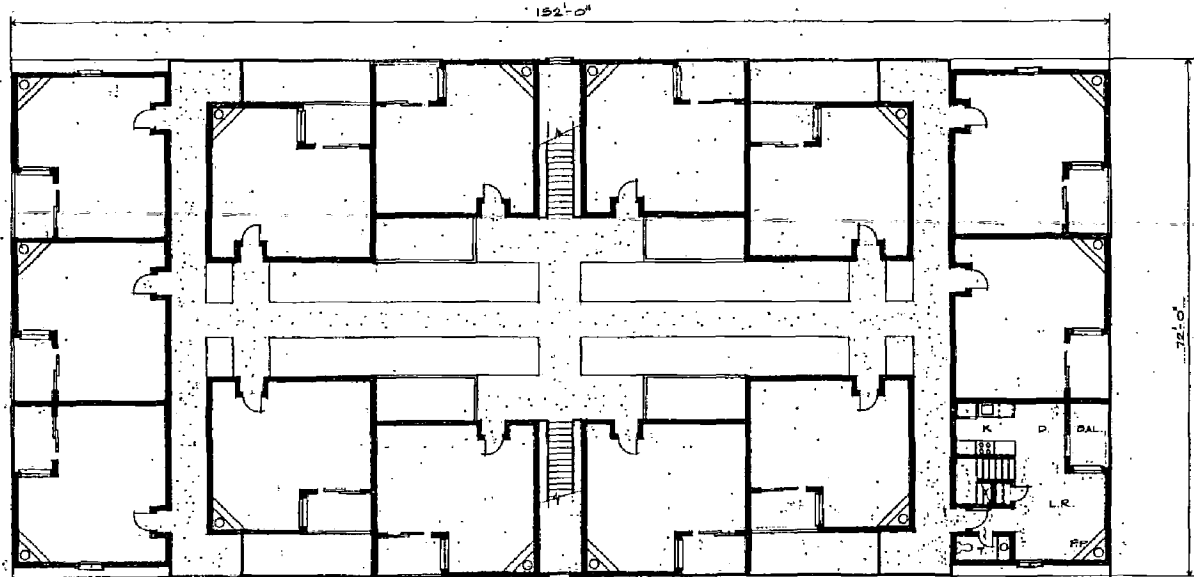
P93-071

Exhibit B
Floor Plan



2nd LEVEL
SCALE: 1/8"=1'-0"

400 SQ. FT.



1st LEVEL
SCALE: 1/8"=1'-0"

420 SQ. FT.

TOWNHOUSE UNIT: 100 SQ. FT.



TOWNHOUSE APARTMENTS

P93-071

Floor Plan



NORTH ELEVATION
SCALE: 1/8"=1'-0"



SOUTH ELEVATION
SCALE: 1/8"=1'-0"

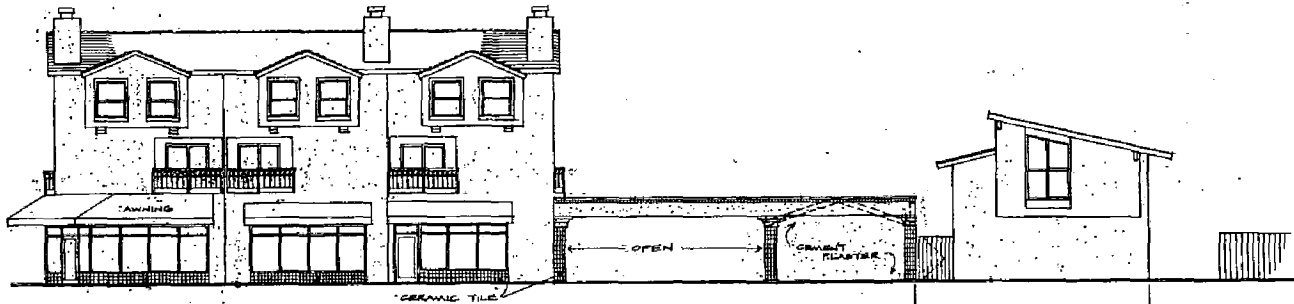


WEST ELEVATION
SCALE: 1/8"=1'-0"



EAST ELEVATION
SCALE: 1/8"=1'-0"

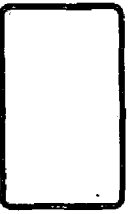
P93-011



SOUTH ELEVATION:
SCALE 1/8"=1'-0"

STREETSCAPE ALONG V STREET

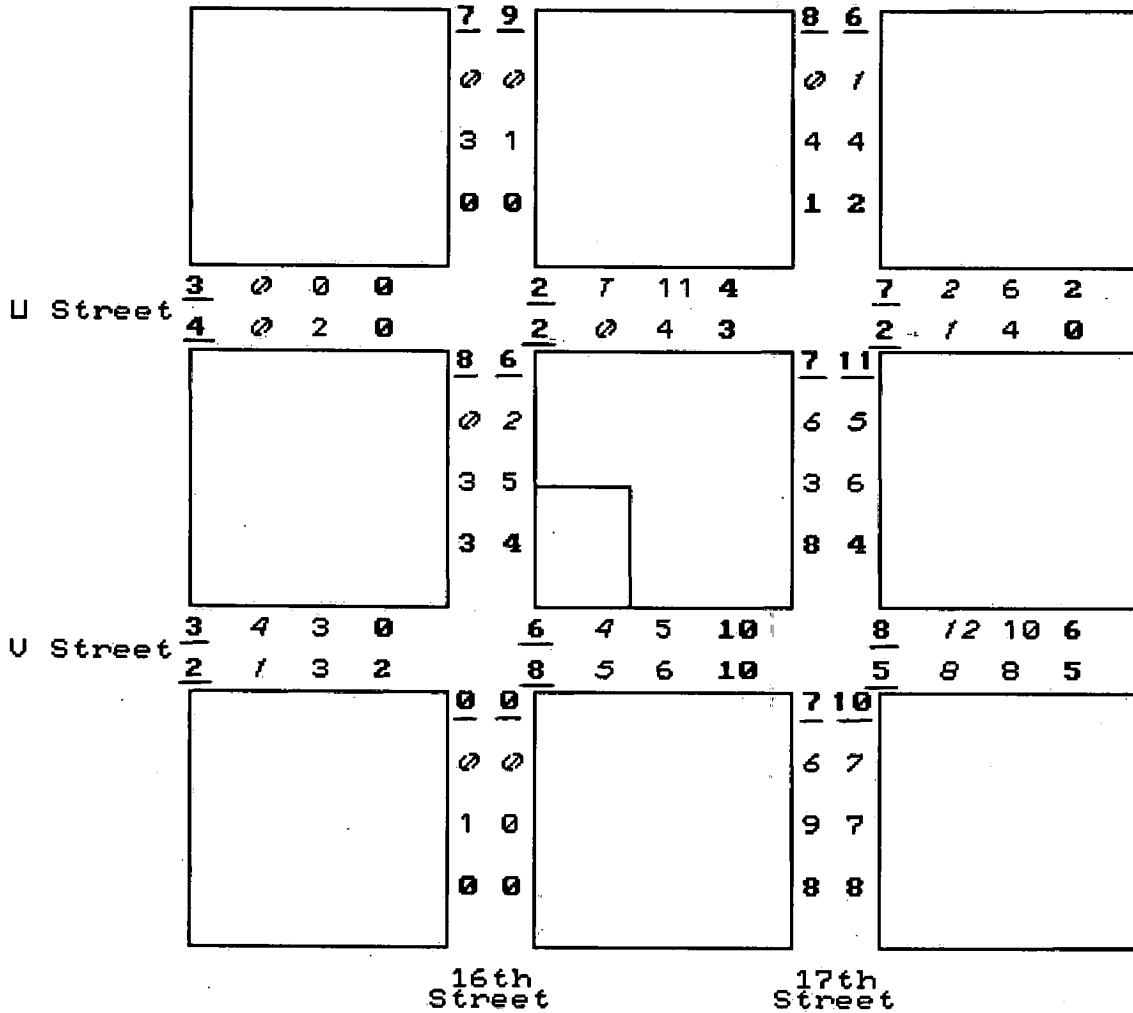
P43-071



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Elevations

Exhibit D
 Parking Survey
 (P93-071)



Bold1 = 9/14/93 between 5:00 AM and 5:45 AM
Italic = 8/30/93 between 10:45 AM and 11:30 AM
T = Tree Trimming/Maintenance
 Standard = 8/30/93 between 3:45 PM and 4:15 PM
Bold2 = 8/31/93 between 2:15 PM and 2:45 PM

**Exhibit E
Mitigation Monitoring Plan**

CITY OF SACRAMENTO

MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Planning Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916) 264-5381, pursuant to California Environmental Quality Act Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number:	<u>2131 16TH STREET (P93-071)</u>
Owner:	<u>CHUNG ILL KIM</u>
Address:	<u>815 COBBLE COVE COURT</u> <u>SACRAMENTO, CA 95831</u>
Applicant:	<u>HENRY F. YEE</u>
Address:	<u>3050 FITE CIRCLE, SUITE 208</u> <u>SACRAMENTO, CA 95827</u>

Project Location / Legal Description of Property (if recorded):

2131 16TH Street, (APN# 00009-0154-023)

SECTION 2: GENERAL INFORMATION

The project as approved includes mitigation measures placed on water, trees life, noise, and cultural resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above.

The project site is located at 2131 16th Street (APN #009-0154-023). The project site is within the Central City Community Plan (CCCP) area. The 1986-2006 Sacramento General Plan

Update (SGPU) designates the site as Community/Neighborhood Commercial & Offices while the Central City land use designation is General Commercial.

This project will consist of fourteen residential units and approximately 5,908 square feet of retail use. Currently the site is vacant. There are City street trees located along both 16th & V Streets. The proposed project includes the development of a six (6) foot high masonry barrier along the east side of the project site. This barrier will be located between the proposed parking area and the existing apartment complex. According to the Environmental Questionnaire past uses have included a Mobile Service station (page 3). The adjacent land uses are commercial.

SECTION 3: PLAN CONTENTS

COMBINED SEWER/STORM DRAIN CEASE AND DESIST AREA (Utilities: Water)

- A. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.**

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

City Attorney, City of Sacramento

Department of Planning and Development, City of Sacramento

Department of Public Works, City of Sacramento

MONITORING PROGRAM

Prior to issuance of the Notice to Proceed with commencement of work, and prior to issuance of the Building Permit, the applicant shall execute an agreement as described above subject to approval by the City Attorney. The City Entities shall obtain a copy of this agreement prior to commencement of work and prior to issuance of building permit.

TREE PRESERVATION

- B: All City street trees located along V and 16th Streets, as identified above, shall be saved. These street trees shall be protected and preserved subject to the following:**
- 1. erect the six foot construction barrier along the curb and gutter side of any tree affected. For all other dripline areas, the required barrier shall be erected.**

2. No machine trenching for utilities or irrigation lines shall occur within the dripline of existing trees to remain except as allowed by this measure. Acceptable methods for installing utility and irrigation lines through tree dripline areas are boring, tunneling and hand trenching. All plans for boring, tunneling and trenching within the dripline areas shall be subject to the approval of the City Arborist.
 3. A permit is required for all pruning of City street trees.
 4. No storage of materials or parking of vehicles shall occur within the dripline of the trees.
 5. If, during construction activities, site grading for roadways and sidewalks, and sidewalk repair roots greater than 2 inches in diameter are encountered, prior to cutting the root(s), a root inspection must be performed by an arborist from a list of certified arborists as maintained by the Planning Division (see Attachment A).
 6. These plans and protection methods shall be noted on all improvement and grading plans submitted for Building Permits for the project.
 7. Alternative protection methods may be used subject to approval of the Planning Division.
- C: All proposed tree planting shall have a 40 foot spacing between trees to be planted.**
1. Alternative tree spacing may be used subject to approval of the City Arborist.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento
 Department of Public Works, City of Sacramento

MONITORING PROGRAM

Prior to the issuance of any Building Permit, the Building Division shall require that the project plans incorporate the tree protection measures as specified by the above mitigation measure. Prior to the issuance of any Notice to Proceed, the Public Works Department shall require that the project plans incorporate the tree protection measures as specified by the above mitigation measure.

If any protective barriers are penetrated, moved or removed as a result of construction activities, the Building Division/Public Works Department shall require the developer to provide an analysis from a certified arborist identifying the condition of the affected trees. In such a case, the responsible City department shall be that department with responsibility for inspection of the particular component of the project which is affected by the discovery.

In the event that any protective barriers are penetrated, moved or removed as described above, the responsible City department shall require that all work within the driplines of affected trees, as shown on the original project plans, be ceased. The responsible City department shall verify the accuracy of the required arborist report by referring the report to the Planning Division (the geographic environmental coordinator) for review. If the trees are determined to be damaged or removed as a result of construction activities, the Building Division/Public Works Department shall require that alternative mitigation measures be developed and implemented subject to approval by the Planning Division. The Building Division/Public Works Department shall require the approved alternative measures to be incorporated into the project plans, prior to resumption of work within the affected area.

In the case of additional review as required above, the developer shall deposit with the City adequate funds, as determined by the Planning Division, to provide funding for City review of revised mitigation measures and monitoring program provisions. These funds will be deposited prior to resumption of work within the affected area.

Documentation of completion of the required mitigation measures shall be placed in the project record by the applicable City Entity as follows:

- The Building Division shall document implementation of all mitigation measures prior to issuance of final building permits, a Certificate of Occupancy or a Certificate of Completion for the project.
- The Public Works Department shall document implementation of all mitigation measures prior to issuance of Notice of Completion.

NOISE ATTENUATION MEASURES**D. Residential Measures:**

1. All penetrations of exterior walls shall include a 1/2 inch airspace around the perimeter. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
2. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
3. All sleeping spaces shall be provided with carpet and pad.
4. There shall be no through-the-door or through-the-wall mail or paper chutes.
5. The roof shall be finished with a minimum 7/16" OSB or plyboard of equivalent weight, 30 lb. felt paper and minimum 220 lb./square composition shingles or equivalent. Skylights shall not be used unless they have an STC rating of 28 or better.
6. Windows must have a minimum STC rating of 28 or better. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile hour wind per ASTM standards.
7. An HVAC system shall be installed that will provide minimum air circulation and fresh air requirements.
8. Gravity vent openings in attic space shall not exceed code minimums in number and size. All openings shall be fitted with transfer ducts at least 3 ft. in length and shall be lined with 1" duct liner full length. Each duct shall include a lined 90° bend to prevent direct line of sight from the exterior through the duct into the attic.
9. All exhaust fans connecting the interior to the exterior shall be connected with a minimum 10 ft. duct, lined with 1" fiberglass liner and containing one 90° bend. The kitchen range exhaust is exempted.
10. Alternative methods and materials may be used subject to approval of the Planning Division.

E. Commercial/Retail Measures:

1. All joints in exterior walls shall be grouted or caulked airtight.
2. Window or through-the-wall ventilation and air conditioning units shall not be permitted.
3. All penetrations of exterior walls shall include a 1/2 inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
4. Windows must have a minimum STC rating of 29 or better. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile an hour wind per ASTM standards.
5. Alternative methods and materials may be used subject to approval of the Planning Division.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

MONITORING PROGRAM

Prior to issuance of any Building Permit the Building Division shall require that the approved construction plans incorporate all of the applicable noise attenuation measures. The Building Division shall also require that site inspections are included on the Special Conditions Attachment. Prior to issuance of any Final Building Permits, Certificate of Occupancy or Certificate of Compliance, the Building Division shall require full compliance and completion of the specified noise attenuation measures.

ARCHAEOLOGICAL IMPACTS

Cultural Resources

- F. If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or

construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

Department of Public Works, City of Sacramento

MONITORING PROGRAM

The building permit plans shall include notes stating that if subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, all work within 50 meters of the affected area shall stop immediately. The construction plans for the project shall include the phone number of the City inspector to be contacted in the event of such a discovery. The plans shall note that a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted in the event that any archaeological materials are found.

Site inspections by the Building Division and the Department of Public Works shall watch for any potential archaeological resources during site visits. A Site Conditions Unit staff person/resident engineer in the Building Division/Public Works Department and a representative of the Planning Division (the geographic environmental coordinator) shall be notified in case of an archaeological discovery. The Building Division shall include this measure as a random inspection item on the Special Conditions Attachment.

If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work within 50 meters of the affected area shall stop immediately. The developer shall contact a qualified archaeologist and a representative of the Native American Heritage Commission to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction within the affected area continues. The City department responsible for inspection and approval of the construction project shall verify the adequacy of the proposed mitigation measures

by referring the mitigation plans to the Planning Division (the geographic environmental coordinator) for approval. A six foot high construction barrier shall be placed around the affected area until such mitigation measures have been implemented.