

residential street leaving what will be a busy commercial area. 3) Because this connection is at the southern end of the project, closing the street to traffic will not likely have a negative impact on the northern street connections of 5th Avenue and Donner Way.

4. **Require traffic mitigation measures.** We urge the Council to condition the project approval to require the developer to pay for specific additional traffic calming measures and safety improvements to 5th Avenue, Donner Way and 24th Street to mitigate the adverse traffic impacts that the development of the project will cause those streets. The payment should be made to the City prior to the issuance of the first building permit within the project area. The traffic calming measures should include, at a minimum, traffic circles, traffic bumps, and other traffic calming measures that have been approved through the City's traffic calming process by the affected residents on those streets.

5. **Remove "Shopping Center" designation for the Flex Zone:** SCNA originally advocated for only 125,000 sq ft of commercial space. When the developer found more toxics, we supported 150,000 sq ft. Then, through negotiations with Council member Hammond, SACOG and the developer's representative, SCNA supported a maximum of 170,000 sq ft with the understanding that the remaining 89,000 sq ft **would remain undesignated, open for either commercial or multi-family development.** Unfortunately, the staff report recommends this area be designated as "Shopping Center." This undermines the compromise that was forged between the parties to leave this area completely undesignated. We ask the Council to honor the compromise all parties agreed to and remove the "Shopping Center" designation for the Flex Zone.

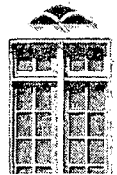
SCNA would be remiss not to acknowledge the developer's positive changes to the project based on the advocacy efforts of our Council member and the neighborhood association. We are pleased that multi-family housing was added back into the plan, increasing the density for a project located adjacent to two light rail stations. We asked that affordable housing be located on site and welcome the addition of the low income senior housing complex. We applaud the relocation of the pedestrian bridge to Sacramento City College and appreciate the Council's commitment to seek federal and state dollars to fund it. Many neighbors are relieved big box retail will be prohibited due to the limit of 60,000 sq ft of retail space per tenant and are encouraged by the breaking up of the one, massive parking lot. Two easements that will remain private streets, but be designed as regular streets with curbs, gutters and sidewalks will help to establish a grid pattern.

With a few more reasonable changes to the Curtis Park Village Plan, SCNA could be in a position to remove its opposition to this project. Thank you for your consideration.

Sincerely,

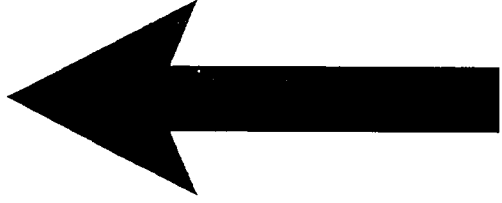


Rosanna Herber, President
Sierra Curtis Park Neighborhood Association



2791 24th Street
Sacramento, CA
95818
916.452.3005
Fax 916.731.4386
www.sierra2.org

Patch T



Supplemental Material

For

City of Sacramento

**City Council
Financing Authority
Housing Authority
Redevelopment Agency**

Agenda Packet

Submitted: September 28, 2010

For the Meeting of: September 28, 2010

- X Additional Material
- X Revised Material

Curtis Park Village Project

Please note the following revisions and additional information for the Curtis Park Village project related to:

- Revisions to map conditions;
- Revisions to the PUD Guidelines; and
- Additional information provided by the Parks & Recreation Commission

Contact Information: Heather Forest, Associate Planner (916) 808-5008, Lindsey Alagozian, Senior Planner (916) 808-2659

Please include this supplemental material in your agenda packet. This material will also be published to the City's Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.



COMMUNITY DEVELOPMENT
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

300 RICHARDS
BLVD
SUITE 300
SACRAMENTO, CA
95811

**Supplemental Material for the Curtis Park Village Project
City Council
September 28, 2010
Item # 22**

1) The following are changes to the map conditions for the Curtis Park Village project. Staff and the applicant have agreed on the revisions.

Tentative Large Lot Map Conditions:

(Old condition #22, Agenda Packet Page # 617)

Except as provided in condition "23" for Lot "13", for all dedications, the applicant shall provide written certification from the State Department of Toxic Substances Control (DTSC), or other documentation issued by DTSC which is acceptable to City, that the remediation of hazardous substances has been completed at the site in accordance with standards that comply with all requirements of DTSC's approved Remedial Design Implementation Plan (RDIP) and all soil placed in and/or located within the areas to be dedicated is unrestricted and there are no special soil handling requirements or residual contamination because the hazardous substances previously located thereon have been fully remediated.

(New condition #22, Agenda Packet Page # 617)

Except as provided in condition "23" for Lot "13", for all dedications, the applicant shall provide written certification from the State Department of Toxic Substances Control (DTSC), or other documentation issued by DTSC which is acceptable to City, that the remediation of hazardous substances has been completed at the site in accordance with standards that comply with all requirements of DTSC's approved Remedial Design Implementation Plan (RDIP) or similar DTSC requirements, and all soil placed in and/or located within the areas to be dedicated is unrestricted and there are no special soil handling requirements or residual contamination because the hazardous substances previously located thereon have been fully remediated.

(Old condition #23.b, Agenda Packet Page # 618)

Provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the disposal of "Category B" soils at the site in Lot "13" has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial

Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded; and that DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot "13" will allow for the development and continued use of Lot "13" as a public right-of-way.

(New condition #23.b, Agenda Packet Page # 618)

Provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the placement of "Category B" soils at the site in Lot "13" has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded; and that DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot "13" will allow for the development and continued use of Lot "13" as a public right-of-way.

(Old condition #24, Agenda Packet Page # 618)

Prior to submittal of improvement plans to the Department of Transportation, provide a DTSC approved RDIP that specifically authorizes placement of the "Category B" soils as fill in Lot 13 or provide a written document from DTSC certifying such placement of the soil as fill material is acceptable based on its adopted DTSC rules and regulations.

(New condition #24, Agenda Packet Page # 618)

Prior to submittal of improvement plans to the Department of Transportation, provide a DTSC approved RDIP or a similar DTSC approval that specifically authorizes placement of the "Category B" soils as fill in Lot 13 or provide a written document from DTSC certifying such placement of the soil as fill material is acceptable based on its adopted DTSC rules and regulations.

(Old condition #25.c, Agenda Packet Page # 618)

The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the Applicant's liability for such costs is ~~not limited~~.

(New condition # 25.c, Agenda Packet Page # 618)

The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances (notwithstanding the costs of obtaining such endorsement), then the Applicant's liability for such costs is limited to 10 years and \$5 million per occurrence.

(Old condition #26, Agenda Packet Page # 619)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and Health and Safety Plan.

(New condition # 26, Agenda Packet Page # 619)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and the contractor's Health and Safety Plan (if required by DTSC).

(Old condition #63, Agenda Packet Page # 624)

Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic

Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP). The applicant shall provide written letters from DTSC for the approval of the RDIP and verification by DTSC that the remediation has been completed in accordance with the RDIP.

(New condition #63, Agenda Packet Page # 624)

Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP) or similar DTSC requirements. The applicant shall provide written letters from DTSC for the approval of the RDIP and verification by DTSC that the remediation has been completed in accordance with the RDIP.

(Old condition #64, Agenda Packet Page # 624)

Prior to issuance of any grading permit, the applicant shall provide a DTSC approved Soil Management Plan and Health and Safety Plan.

(New condition #64, Agenda Packet Page # 624)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and the contractor's Health and Safety Plan (if required by DTSC).

(Old condition #65, Agenda Packet Page # 624)

Prior to submittal of the public works improvement plans, applicant shall provide a DTSC approved RDIP that specifically authorize placement and operation of public utilities (water, sewer, and drainage systems) within the street parcel (Parcel 13) with restricted soil or provide a written document from DTSC certifying such placement and operation of public utilities within the parcel with restricted soil are acceptable based on its adopted rules and regulations.

(New condition #65, Agenda Packet page # 624)

Prior to submittal of the public works improvement plans, applicant shall provide a DTSC approved RDIP or a similar DTSC approval that specifically authorize placement and operation of public utilities (water, sewer, and drainage systems) within the street parcel (Parcel 13) with restricted soil or provide a written document from DTSC certifying such placement and operation of public utilities within the parcel with restricted soil are acceptable based on its adopted rules and regulations.

Tentative Subdivision Map Conditions:

(Old condition #23, Agenda Packet Page # 638)

Except as provided in condition "23" for Lot "P", for all dedications, the applicant shall provide written certification from the State Department of Toxic Substances Control (DTSC), or other documentation issued by DTSC which is acceptable to City, that the remediation of hazardous substances has been completed at the site in accordance with standards that comply with all requirements of DTSC's approved Remedial Design Implementation Plan (RDIP) and all soil placed in and/or located within the areas to be dedicated is unrestricted and there are no special soil handling requirements or residual contamination because the hazardous substances previously located thereon have been fully remediated.

(New condition #23, Agenda Packet Page # 638)

Except as provided in condition "23" for Lot "P", for all dedications, the applicant shall provide written certification from the State Department of Toxic Substances Control (DTSC), or other

documentation issued by DTSC which is acceptable to City, that the remediation of hazardous substances has been completed at the site in accordance with standards that comply with all requirements of DTSC's approved Remedial Design Implementation Plan (RDIP) or similar DTSC requirements, and all soil placed in and/or located within the areas to be dedicated is unrestricted and there are no special soil handling requirements or residual contamination because the hazardous substances previously located thereon have been fully remediated.

(Old condition #24.b, Agenda Packet Page # 638)

Provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the ~~disposal~~ of "Category B" soils at the site in Lot "P" has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded; and that DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot "P" will allow for the development and continued use of Lot "P" as a public right-of-way.

(New condition #24.b, Agenda Packet Page # 638)

Provide written certification from DTSC or other documentation issued by DTSC which is acceptable to City that the placement of "Category B" soils at the site in Lot "P" has been completed in accordance with the DTSC approved Remedial Action Plan and Remedial Design Implementation Plan (RDIP); that the DTSC deed restrictions have been recorded; and that DTSC's land use controls and/or land use specific remediation approaches approved or required for Lot "P" will allow for the development and continued use of Lot "P" as a public right-of-way.

(Old condition #25, Agenda Packet Page # 638)

Prior to submittal of improvement plans to the Department of Transportation, provide a DTSC approved RDIP that specifically authorizes placement of the "Category B" soils as fill in Lot "P" or provide a written document from DTSC certifying such placement of the soil as fill material is acceptable based on its adopted DTSC rules and regulations.

(New condition #25, Agenda Packet Page # 638)

Prior to submittal of improvement plans to the Department of Transportation, provide a DTSC approved RDIP or a similar DTSC approval that specifically authorizes placement of the "Category B" soils as fill in Lot "P" or provide a written document from DTSC certifying such placement of the soil as fill material is acceptable based on its adopted DTSC rules and regulations.

(Old condition # 26.c, Agenda Packet Page # 639)

The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances, then the Applicant's liability for such costs is ~~not limited~~.

(New condition # 26.c, Agenda Packet Page # 639)

The applicant's obligations to indemnify the City for claims caused by or arising from hazardous substances shall be limited to the coverages under the Applicant's pollution insurance policy. If Applicant is unable to obtain an insurance endorsement to protect the City from liability for further remediation or investigation of hazardous substances (notwithstanding the costs of obtaining such endorsement), then the Applicant's liability for such costs is limited to 10 years and \$5 million per occurrence.

(Old condition #27, Agenda Packet Page # 639)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and Health and Safety Plan.

(New condition # 27, Agenda Packet Page # 639)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and the contractor's Health and Safety Plan (if required by DTSC).

(Old condition #64, Agenda Packet Page # 644)

Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP). The applicant shall provide written letters from DTSC for the approval of the RDIP and verification by DTSC that the remediation has been completed in accordance with the RDIP.

(New condition #64, Agenda Packet Page # 644)

Applicant shall perform all hazardous material clean-up and remediation as required by the DTSC for the design and construction of the underground utilities and the detention basin in accordance with standards that comply with all requirements of the Department of Toxic Substances Control's (DTSC) approved Remedial Design Implementation Plan (RDIP) or similar DTSC requirements. The applicant shall provide written letters from DTSC for the approval of the RDIP and verification by DTSC that the remediation has been completed in accordance with the RDIP.

(Old condition #65, Agenda Packet Page # 644)

Prior to issuance of any grading permit, the applicant shall provide a DTSC approved Soil Management Plan and Health and Safety Plan.

(New condition #65, Agenda Packet Page # 644)

Prior to issuance of any grading permit, provide a DTSC approved Soil Management Plan and the contractor's Health and Safety Plan (if required by DTSC).

(Old condition #66, Agenda Packet Page # 644)

Prior to submittal of the public works improvement plans, applicant shall provide a DTSC approved RDIP that specifically authorize placement and operation of public utilities (water, sewer, and drainage systems) within the street parcel (Lot P) with restricted soil or provide a written document from DTSC certifying such placement and operation of public utilities within the parcel with restricted soil are acceptable based on its adopted rules and regulations.

(New condition #66, Agenda Packet Page # 644)

Prior to submittal of the public works improvement plans, applicant shall provide a DTSC approved RDIP or a similar DTSC approval that specifically authorize placement and operation of public utilities (water, sewer, and drainage systems) within the street parcel (Lot P) with restricted soil or provide a written document from DTSC certifying such placement and operation of public utilities within the parcel with restricted soil are acceptable based on its adopted rules and regulations.

2) The applicant has reviewed the updated PUD Guidelines and requested two changes on Agenda Packet Page Number # 541, PUD Guidelines Section 2.1, #1, and Agenda Packet Page Number # 544, PUD Guidelines Section 2.3 regarding the uses in the Flex Zone. Staff and the applicant have agreed on the following wording:

2.1 CONCEPT AND LAND USE

Curtis Park Village is comprised of three predominate types of development for three predominate land uses linked by a network of pedestrian friendly streets, open spaces, and a neighborhood park.

1. **Southern & Northern (Flex Zone) Commercial Areas:** The commercial area of the plan is generally located in the southern portion of Curtis Park Village, extending north from Sutterville Road to the area south of the multi-family residential area, and west of Road "A". The Southern Commercial Area, between Sutterville Road and 10th Avenue, is a more defined neighborhood shopping area on the schematic plan. The building footprint of each tenant in this area shall be no greater than 60,000 square feet of sales floor area or 65,000 square feet of total ground floor area. The Northern Commercial Area, also known as the Flex Zone, ~~is anticipated to be developed with a mix of~~ **may be developed with** residential, commercial (including recreational/entertainment uses) office and/or public/open space uses. The Flex Zone shall have a separate schematic plan prepared in the future for review and approval of the Planning Commission and City Council before development occurs. It is recognized that development is not expected to occur for a number of years in this area, and market conditions will likely change during this period of time. The street system and parcel layout in the commercial areas provide a grid pattern for pedestrian, bicycle, and vehicle circulation consistent with the "Traditional Center" for commercial uses and "Traditional Neighborhood High" residential requirements of the City of Sacramento 2030 General Plan policies on urban form and design. The eventual locations of all buildings will be further refined within the commercial use areas to be consistent with the 2030 General Plan policies on urban form and design, and Title 17 of the Sacramento City Code, and the requirements of these Design Guidelines. The commercial area will serve surrounding residential neighborhoods, creating destinations, convenient shopping and entertainment within walking/biking distance.

2.3 NORTHERN COMMERCIAL AREA "FLEX ZONE": SC-PUD Zone

The five acre commercial area north of 10th Avenue is known as the Northern Commercial Area or Flex Zone. A detailed Schematic Plan for this area is required to be prepared for this area for the review and approval of the Planning Commission and City Council, and including any other necessary entitlements, prior to development of all or any portion of this area.

The Flex Zone ~~shall~~ **may** include residential, commercial (including recreational/entertainment uses), office and/or public/open space uses. The Flex Zone was created in recognition that development in this area is not expected to occur for a number of years and market conditions will likely change during this period of time.

Development standards for the Northern Commercial Area "Flex Zone" are found in Section 3.0, Land Use Development Standards: Commercial Areas.

3) The City's Park and Recreation Commission considered the Curtis Park Village Development Project at its meeting on September 2, 2010, and made recommendations to follow City Council's direction, to place a containment cell beneath the park only after other locations had been exhausted. The attached letter from the Chair of the Commission, Jonathan Rewers, expresses an understanding that the containment cell is not currently proposed under the park and if it were under the park, the Parks and Recreation Commission would have the opportunity to review the issue.



DEPARTMENT OF
PARKS AND RECREATION

CITY OF SACRAMENTO
CALIFORNIA

915 I Street 5th Floor
SACRAMENTO, CA
95814

PARKS AND RECREATION COMMISSION

(916) 808-5200
FAX 808-7643

September 27, 2010

Sacramento City Council

Subject: Commission Recommendations on Curtis Park Village (P04-109)

Honorable Mayor and Members of the City Council:

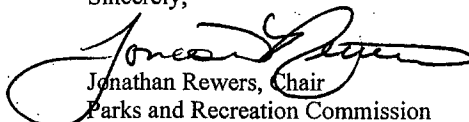
The City's Parks and Recreation Commission considered the Curtis Park Village Development Project at its meeting on September 2, 2010. Following a presentation by staff and the applicant, the Commission approved the four recommendations below. These recommendations were tailored to follow City Council's direction, as identified in Resolution 2010-176, to place a containment cell beneath the park only after other locations had been exhausted.

1. Support for the prioritized placement of soil containment cells as outlined in Resolution 2010-176; approved by City Council on 4/1/10, which would utilize the area beneath the park only after exhausting a 2-acre area in the 'flex zone' and the 'Village Green' as shown on the Illustrative Plan dated April 1, 2010; and
2. In the event on-site containment cells are necessary, the maximum amount of soil reasonably possible should be placed in the 'flex zone' and 'Village Green' areas before containment of soil is allowed beneath the park; and
3. If an on-site containment cell is deemed necessary beneath the park, the issue should return to the Parks and Recreation Commission for consideration before this issue returns to City Council for its action as outlined in Resolution 2010-176; and
4. During the master planning process for the park, staff shall require that neighborhood recreational elements that are not already provided in the parks surrounding the project area (for example, Curtis Park or William Land Park) be included in the master plan design.

I now understand that the proposal that will be before City Council on September 28th does not include provisions for a containment cell beneath the park. This is wonderful news. I further understand that, in the event a containment cell beneath the park is necessary, this issue will require City Council action at a later date. Finally, I understand that the Parks and Recreation Commission will have an opportunity to discuss this issue in advance of City Council's action when it considers a master plan for the park site, a pre-requisite to this issue returning to City Council.

Thank you for this opportunity to advise you on parks and recreation issues on this project.

Sincerely,


Jonathan Rewers, Chair
Parks and Recreation Commission



Optimize the Experience of Living!