

RESOLUTION NO. 2018-0490

Adopted by the Sacramento City Council

December 11, 2018

Adopting Findings of Fact and Approving the A Street Annex Delisting and Site Modifications Project (PB18-028) (APN 002-0053-003-0000)

BACKGROUND

- A. The applicant has proposed to remove the building at 131 North 16th Street (the “A Street Annex Building”) from the Sacramento Register of Historic and Cultural Resources (the “Sacramento Register”) as a contributing resource to the North 16th Street Historic District, demolish the building, and construct the following improvements: asphalt paving, three parking stalls, ornamental fencing, and landscaping. The applicant has also proposed to modify the Cold Storage building at 121 North 16th Street by installing three loading docks with rolling doors.
- B. On August 12, 2018, the Preservation Director issued a preliminary determination of eligibility and concluded the A Street Annex Building meets the eligibility criteria in City Code section 17.604.210.C.
- C. On October 17, 2018, the Preservation Commission held a public hearing and passed a motion recommending the city council deny the project.
- D. On December 11, 2018, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code section 17.812.010 and 17.812.030, and received and considered evidence concerning the A Street Annex Delisting and Site Modifications Project (PB18-028).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. **The A Street Annex Building is not a historical resource for purposes of CEQA.** The City Council finds the A Street Annex Building is not a historical resource for purposes of CEQA. The building is not listed in the California Register of Historical Resources nor has it been identified as significant in a historical resource survey meeting the requirements of

section 5024.1(g) of the Public Resources Code. Further, concurrent with the adoption of this Resolution, the City Council has adopted an ordinance removing the A Street Annex Building from the Sacramento Register; accordingly, the building is not a historical resource for purposes of CEQA under CEQA Guidelines section 15064.5(a)(1)-(2).

Further, the City Council declines to exercise its discretionary authority to treat the building as a historical resource under CEQA Guidelines section 15064.5(a)(3) as the building lacks historic integrity due to alterations, including alterations done outside the historic district's period of significance, such that the building no longer conveys its historical associations, as explained in the 2018 Dudek report and the 2018 Historic Resource Associates report. Accordingly, the building does not meet the criteria for listing on the California Register of Historical Resources (Pub. Res. Code section 5024.1 and 14 Cal. Code Regs. 4852). For these same reasons, the City Council also finds the preponderance of evidence demonstrates that the building is not historically or culturally significant.

Section 2. **Environmental Determination: Exempt (CEQA Guidelines section 15332).**

A. The City Council finds the project is exempt from CEQA review under CEQA Guidelines section 15332, related to infill development, as follows:

1. The project is consistent with the applicable general plan designation and all applicable general plan polices as well as with applicable zoning designation and regulations. The proposed project would be located within a developed area that is currently used for product storage and distribution. The project is characterized as in-fill development, as the site is surrounded by urban uses. The proposed project would be located within a developed area that is currently used for product storage and distribution. The project site is characterized as in-fill development, as the site is completely surrounded by urban uses. The City's General Plan designates the project site as Employment Center Low Rise District (FAR: 0.15 - 1.0) and the site is zoned Heavy Industrial (M-2), which permits the manufacture or treatment of goods from raw materials (City of Sacramento 2017,

2014). The project supports the general plan goals related to supporting businesses, including goal ED 1.1, Goal ED 3.1, and ED 4.1. Specifically, the project supports polices ED 1.1.2, ED 3.1.1, and ED 4.1.2.

2. The proposed project site, including both the area associated with the proposed A Street Annex Building demolition and exterior modifications to the Cold Storage Building, consists of approximately 44,400 square feet. The project site is located within a developed area of the City of Sacramento and is surrounded by urban uses, including industrial, warehouse, and distribution facilities, along with nearby residences, commercial buildings, and a major roadway. Therefore, the proposed project is located within the city limits on a project site of not more than five acres and is substantially surrounded by urban uses.
3. The project site is located in an urbanized area of the city and is surrounded primarily by industrial uses. The majority of the site is paved, with the remainder of the site consisting of gravel/compacted soil areas. Based on a review of aerial maps, vegetation on the project site is limited to eleven mature trees located along the western border of the site adjacent to North 16th Street. The site supports the existing single-story A Street Annex Building, Cold Storage Building, a mechanical equipment staging area, and an associated paved surface parking lot. The site does not contain any significant natural resources, including habitat for special-status plants or animals or wetlands, or other waters of the U.S. or State that would be adversely affected by the proposed project. Due to the developed industrial nature of the site and its surroundings, the project site has no value as habitat for endangered, rare or threatened species.
4. The proposed project would demolish an existing building and construct three recessed loading docks within an existing building to accommodate delivery trucks. The purpose of the project is not to increase capacity, but to improve on-site circulation and to avoid queuing at the A Street entrance. During project demolition and construction

activities, construction vehicles would add traffic to city streets surrounding the project site, but this increase would be minimal and temporary.

Proposed project demolition and construction activities would occur between the hours of seven a.m. and six p.m., Monday through Saturday, and between nine a.m. and six p.m. on Sunday, in accordance with the City's exterior noise standards specified in Chapter 8.68, Noise Control, of the City Code. Construction equipment for project demolition and construction would have suitable exhaust and intake silencers which would further reduce construction noise. The closest sensitive receptors (residences) are located at 1500 North A Street, across North 16th Street south of the project site. The proposed project is anticipated to result in a small reduction in operational noise levels as compared to existing conditions because the proposed project would improve access to the loading dock area thereby reducing the amount of backing up necessary for trucks to enter and exit the site. As a result, noise associated with existing use of back-up beepers would be reduced due to the proposed project. Thus, the proposed project would not result in noise impacts.

The proposed project would be subject to Chapter 13.16, the Stormwater Management and Discharge Control Code, of the City Code, which sets forth measures to protect water quality from discharges into the storm water conveyance system. These measures include employee training and best management practices (BMP's) to reduce accidental spills and discharges into the storm water system, source control measures to prevent storm water pollution, and treatment controls to remove stormwater pollutants. The proposed project would comply with the City's Stormwater Management and Discharge Control Code during project demolition. In addition, the removal of the building would not increase the impervious surface area of the site and would not increase the quantity of storm water runoff. Therefore, it would not result in impacts to water quality.

The Sacramento Metropolitan Air Quality Management District (SMAQMD) has established rules and regulations to protect air quality within the region. These include Rule 402 (Nuisance), which restricts discharge of air contaminants that can cause a public nuisance or endangerment, Rule 403 (Fugitive Dust), which regulates fugitive dust emissions from non-combustion sources, Rule 404 (Particulate Matter), which establishes particulate matter emission concentration limits, and Rule 405 (Dust and Condensed Fumes), which limits discharge of dust and condensed fumes through emission rates based on process weight (SMAQMD 2018). The proposed project would be required to comply with the City of Sacramento building demolition permit requirements and all applicable SMAQMD rules and regulations associated with building demolition; therefore, impacts to air quality during project construction, demolition, and operation would be less than significant. As the proposed project would not change or intensify the use of the project site, approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

5. The project site is located in an urbanized, developed area of the city that is currently served by water, wastewater, storm drain, electrical and natural gas facilities. In addition, this area of the city is also served by police and fire services, solid waste removal, schools, libraries and parks. By removing an existing building, the proposed project is anticipated to, at least marginally, reduce existing demand on utilities and services. As such, the proposed project would not generate additional demand for city services since the site is adequately served by all required utilities and public services.

- B. **The project is not subject to any exceptions to the use of the infill exemption (CEQA Guidelines section 15300.2).** The City Council finds no exceptions to the use of the infill exemption applies as follows:

1. Location. This exception does not apply to the infill exemption (the class 32 exemption), as it only applies to classes 3, 4, 5, 6, and 11 of the categorical exemptions.
2. Cumulative impacts. The proposed project would demolish an existing building and install three recessed loading docks within the adjacent Cold Storage Building. Removal of the building would allow trucks to safely maneuver and access the loading docks. By improving access to the BDG loading dock area the proposed project is anticipated to reduce noise, air quality, and related impacts associated with the existing truck maneuvering conditions at the project site. The project proposal is the only proposal for development activity at the project location. Therefore, the proposed project would not contribute to any cumulative impact of successive projects of the same type over time.
3. Significant effect. The proposed project is not unusual in that it is an allowed use on a heavy industrial zoned site within the city. It is also not uncommon for industrial and manufacturing uses to propose projects to reduce inefficiencies and improve safety on industrial and manufacturing sites within the city. The proposed project would demolish an existing single-story building and install three recessed loading docks on the project site. The building is currently used for storage. The proposed project would not introduce any uses that could result in a significant effect on the environment due to unusual circumstances.
4. Scenic highways. There are no state-eligible or designated scenic highways within the view shed of the proposed project or in the project vicinity (Caltrans 2018).
5. Hazardous waste sites. Based on a review of the California Department of Toxic Substances Control (DTSC) EnviroStar database, the proposed project is not located on a site that contains hazardous materials (DTSC 2018).
6. Historical resources. The project will not result in a substantial adverse change in the significance of a historical

resource (CEQA Guidelines section 15300.2(f)). The City Council has found that the A Street Annex Building is not a historical resource for purposes of CEQA due to a lack of historic integrity given its alterations, including alterations done outside the historic district's period of significance, as explained in the 2018 Dudek report and the 2018 Historic Resource Associates report. Further, concurrent with the adoption of this Resolution, the City Council adopted an ordinance removing the building from the Sacramento Register. As the building is not a historical resource for purposes of CEQA, its demolition cannot result in a substantial adverse change in the significance of a historical resource.

In addition, demolition of the A Street Annex Building will not result in a substantial adverse change in the significance of the North 16th Street Historic District as the project is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties in that the introduction of a truck-maneuvering area and loading dock into the industrial historic district is consistent with the features and characteristics identified as significant to the historic district. The proposed design is respectful of the North 16th Street Historic District's character and would complement the industrial context of the district. As the project is consistent with the Secretary of the Interior Standards, it has less than a significant impact on the historic district. (CEQA Guidelines section 15064.5(b)(3).)

Section 3. **Site Plan and Design Review: Approved.** Site plan and design for the demolition of a non-contributing resource within the North 16th Street Historic District, on a 1.02-acre site in the heavy industrial (M-4) zone, and new rolling doors and loading dock on 121 North 16th Street, asphalt paving 131 North 16th Street, and new landscape planters and ornamental fencing along the eastern property line, is **approved** based on the following Findings of Fact:

1. The project is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties and title 17 of the City Code as the introduction of a truck-maneuvering area and

loading dock into the industrial historic district is consistent with the features and characteristics identified as significant to the historic district. Further, the proposed design is respectful of the North 16th Street Historic District's character and would complement the industrial context of the district.

2. The design, layout, and physical characteristics of the proposed development are consistent with all applicable design guidelines and with all applicable development standards for the heavy industrial (M-4) zone.

Section 4. **200-Year Flood Protection.** The project site is within an area for which the local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban areas for property located within a flood hazard zone, intended to be protected by the system, as demonstrated by the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report accepted by City Council Resolution No. 2016-0226 on June 21, 2016.

Section 5. **Conditions of Approval.** The project is approved subject to the following conditions of approval.

1. The project is approved in accordance with the final approved plans: demolition of the A Street Annex Building at 131 North 16th Street; construction of asphalt paving, three parking stalls, ornamental fencing, and landscaping; and installation of three loading docks with rolling doors on the Cold Storage Building at 121 North 16th Street.
2. All existing City Street trees and their planters shall remain unchanged.
3. Tree protection for the existing street trees shall consist of chain link fence surrounding the planter throughout construction. Inspection of this fencing by Urban Forestry staff shall take place prior to demolition or construction.

4. The applicant shall be financially responsible for any damage to the city trees associated with the project. Accidental or negligent actions that damage city trees may result in a penalty. The monetary value of any such damages will be appraised by the City Urban Forester or his authorized representative and shall be expressed as the monetary equivalent of all labor and materials required to bring the tree in question to a state of comparable utility with regards to its condition and function prior to the beginning of the project.
5. All revisions to the plans shall be reviewed by Urban Forestry prior to approval.
6. NO OTHER EXTERIOR WORK IS ALLOWED per this approval.
7. The applicant shall obtain all necessary building permits prior to commencing construction.
8. No construction or demolition is allowed until building permits have been issued.
9. Any modification to the project shall be subject to the review and approval of Preservation Staff (or, if modifications proposed are major, they may require additional entitlements).
10. All other notes and drawings on the final approved plans as submitted by the applicant are deemed conditions of approval. Any changes proposed to the final set of plans shall be subject to review and approval prior to any changes. Applicant shall comply with all current building code requirements.
11. This approval shall expire in three years from the approval date.

Adopted by the City of Sacramento City Council on December 11, 2018, by the following vote:

Ayes: Members Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: None

Abstain: None

Absent: Member Ashby

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2019.01.02 17:05:45 -08'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.