

RESOLUTION NO. 2008-001

Adopted by the Redevelopment Agency
of the City of Sacramento

January 8, 2008

CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, APPROVING THE PROJECT CONCEPT AND EXTENDING THE EXCLUSIVE RIGHT TO NEGOTIATE

BACKGROUND

- A. The Agency has assembled property located at the southeast corner of 10th and K streets (Agency Site) for redevelopment purposes.
- B. In October 2004, the outcome of the JKL Corridor Workshop provided the Agency with an overall vision with specific development objectives for 10th and K Street Agency Sites, including:
 - Cultural uses such as live theatre, museums, artist lofts and art galleries;
 - Commercial uses such as restaurants, movie theaters, nightclubs, and mixed specialty retail; and
 - Residential.
- C. In February 2005, the Agency issued a Request for Proposals (RFP) for a Downtown Cultural, Entertainment and Retail Complex for the Agency Site.
- D. On April 30, 2005, one proposal was received from K Street Central, a development team consisting of David S. Taylor Interests, The CIM Group, St. Anton Partners, The Cordano Company and Paragary's Restaurant Group.
- E. A selection committee comprised of an Ad Hoc committee of the Agency Board reviewed the proposal and in August 2006, an Exclusive Right to Negotiate (ERN) was approved by the Agency. The ERN for 1012-1022 K Street expired on December 31, 2006.
- F. On February 27, 2007, the Agency approved an Exclusive Right to Negotiate with 1012 K Street, LLC, a partnership between David Taylor Interests and the CIM Group, for a proposed mixed-use condominium project on Agency-owned properties located at 1012-1022 K Street.
- G. Based on the initial study conducted for the 1012 K Street project, the Redevelopment Agency, based on substantial evidence, that the project may have a significant effect on the environment and prepared an Environmental Impact Report (EIR) on the Project. The EIR was prepared, noticed, published, circulated, and reviewed and completed in full compliance with the California Environmental Quality Act (CEQA), (Public Resources Code Section 21000 *et seq.*), the CEQA Guidelines (14 California Code of

Regulations Section 15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

1. A Notice of Preparation (NOP) of the Draft EIR was filed with the Office of Planning Research and on June 14, 2007. The 30-day public review comment period for the NOP was established starting on June 14, 2007 and ending on July 13, 2007.
 2. A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on August 26, 2007 and were distributed to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
 3. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse, ending on October 1, 2007 and a Notice of Availability (NOA) was distributed to interested groups, organizations, and individuals including property owners within 1000 feet of the project boundaries.
 4. The Notice of Availability (NOA), a public notice, was published in the Daily Recorder newspapers on August 16, 2007, which stated that the Draft EIR was available for public review and comment.
 5. Copies of the Draft EIR were available and a public notice was posted at the office of the Sacramento City Clerk that copies of the document were available for review at the City of Sacramento Development Services Department, City of Sacramento, New City Hall, 915 I Street, 3rd Floor, Sacramento, California 95814, and at the North Permit Center, 2101 Arena Boulevard, 2nd Floor, Sacramento, California 95834.
 6. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's and the Agency's written responses to the significant environmental points relayed in those comments, and additional information added by the City/Agency were added to the Draft EIR to produce the Final EIR.
- H. The following information is incorporated by reference and made part of the record supporting the certification of the EIR.
- *800 K & L Streets Project*, Redevelopment Agency of the City of Sacramento, Economic Development Department Downtown Development Group, July 2006

- *City of Sacramento General Plan Update*, Draft and Final Environmental Impact Report, City of Sacramento, Draft EIR dated March 2, 1987, and Final EIR dated September 30, 1987.
- *City of Sacramento General Plan Update Technical Background Report*, City of Sacramento Development Services Department, June 2005.
- *City of Sacramento General Plan*, City of Sacramento, updated and adopted January 1988, as revised by Council in 2000 and 2003.
- *City of Sacramento Zoning Code*, current through Ordinance 2007-021, and the May 2007 code supplement, City of Sacramento retrieved from <http://ordlink.com/codes/sacramento/index.htm>.
- *Cultural and Entertainment District Master Plan*, City of Sacramento, adopted May 1990.
- *Guide to Air Quality Assessment in Sacramento County*, Sacramento Metropolitan Air Quality Management District, July 2004.
- *Historic Preservation Chapter of the City Code*, Title 15, Chapter 15.124, City of Sacramento, current through Ordinance 2005-097 and the February 2006 code supplement, City of Sacramento, <http://www.qcode.us/codes/sacramento/>.
- *Map of Hollow Sidewalk Locations*, Development Engineering and Finance Department, City of Sacramento.
- *Merged Downtown Redevelopment Plan Amendment*, Environmental Impact Report, Redevelopment Agency of the City of Sacramento, Economic Development Department, Downtown Development Group, Draft EIR dated November 5, 2004 and Final EIR dated February 3, 2005.
- *Preservation Element of the City's General Plan*, City of Sacramento, adopted April, 25, 2000.
- *Sacramento Central City Community Plan*, City of Sacramento. Adopted May 15, 1980, with amendments through April 8, 2003.
- *Sacramento Central City Housing Strategy*, Sacramento Housing and Redevelopment Agency and Department of Planning and Development, City of Sacramento, May 1991.
- *Sacramento Register, City of Sacramento Listing of Landmarks, Historic Districts, and Contributing Resources*, updated February 2007, per Sacramento City Code Title 15.
- *Sacramento Urban Design Plan, Central Business District Urban Design Framework Plan*, Sacramento Housing and Redevelopment Agency, adopted February 28, 1987.
- *The Metropolitan Project*, Draft Environmental Impact Report dated July 11, 2005, and Final EIR dated July 2007, City of Sacramento.
- *500 Capitol Mall Project, Findings of Fact and Statement of Overriding Considerations*, City of Sacramento, February 27, 2007.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

Section 1. Pursuant to CEQA Guidelines Section 15090, the Agency certifies that:

- A. The Final EIR constitutes an adequate, accurate, objective and complete final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines and the City of Sacramento environmental guidelines;
- B. The Final EIR has been presented to the Agency and the Agency has reviewed and considered the information contained in the Final EIR prior to taking action on the Project;
- C. The Final EIR reflects the Agency independent judgment and analysis.

Section 2. The project concept as outlined in Attachment 3 of the staff report is approved for the Agency-owned property located at 1012 – 1022 K Streets.

Section 3. The City Manager or his designee, on behalf of the Agency, is authorized to extend the term of the agreement with 1012 K Street, LLC for the Exclusive Right to Negotiate for the development of properties on K Street from 1012-1022 K Street to July 8, 2008.

Section 4. Milestones for the extended ERN include:

Within 90 days:

- Refine estimated construction costs, including all applicable fees and contingencies
- Refine development and operating pro formas
- Negotiate the terms of appropriate redevelopment agreements
- Prepare Schedule of Performances for the construction period.

Within 180 days:

- Adopt findings and the Mitigation Monitoring Plan
- Obtain project approval from the Agency and execute the redevelopment agreements

Adopted by the Redevelopment Agency of the City of Sacramento on January 8, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.



Heather Fargo, Chair

Attest:



Shirley Concolino, Secretary