

RESOLUTION NO. 88-055

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

July 5, 1988

RESOLUTION ADOPTING FINDINGS RELATIVE TO THE ENVIRONMENTAL EFFECTS AND OVERRIDING CONSIDERATIONS SUPPORTING APPROVAL OF THE 111 CAPITOL MALL OFFICE COMPLEX

WHEREAS, the City Planning Commission and the Sacramento Housing and Redevelopment Commission ("SHRC") at duly noticed joint meetings held April 4, 1988 and April 18, 1988 received and considered evidence, both oral and written, on environmental planning and development of the 111 Capitol Mall project as described in the staff report dated April 4, 1988 for application P87-196 (the "Project"); and

WHEREAS, SHRC has authority to recommend action on certain agreements which are a part of the Project. Pursuant to the policy and practice of the Redevelopment Agency of the City of Sacramento, the SHRC made a recommendation to the City Council with respect to the adequacy of a project Environmental Impact Review ("EIR") and California Environmental Quality Act ("CEQA") findings; and

WHEREAS, the Agency governing board did hold a public hearing on July 5, 1988 for the purpose of considering the EIR and Project.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1: The Agency finds that the EIR for the Project was prepared and completed in compliance with CEQA and is adequate. Such EIR was presented to the Agency at the aforementioned public hearing at which time the Agency considered the information contained in the EIR prior to the decision to approve the Project.

Section 2: The Agency finds that certain EIR-identified impacts are insignificant or have been reduced to an insignificant level due to conditions imposed on project approval.

RESOLUTION 88-055

JUL 5 1988

Plan Consistency (Impacts A-C)

The Agency hereby concurs and ratifies the analysis set forth on pages 3-8 of the project staff report dated April 4, 1988 ("staff report"), hereby incorporated herein by reference. This analysis concludes that the Project is consistent with the Amended Redevelopment Plan, the Central City Plan and existing zoning of the site. This analysis furthermore notes that the Urban Design Plan, Architectural Design Policy/Design Guidelines are only guidelines and not prescriptive requirements. The Agency finds that the project, subject to additional review and approval by a third party architectural team (per Condition #1 of the staff report) and by the Design Review/Preservation Board, is consistent with all applicable City policies and will not create significant adverse impacts.

Aesthetics/Shading (Impact D)

The preparers of the EIR conclude that shade from the building south of "L" Street on sunny days during certain months of the year should be considered a significant adverse impact.

Shade from the project will occur, but should not be deemed a significant adverse impact for the following reasons:

1. The Draft EIR (pages E-18 through 26) documents that shade from the project will be limited to a small area of Old Sacramento immediately north of Neasham Circle.
2. Shade in this limited area has the largest spread at 8:00 a.m. and 4:00 p.m. in late December - a month of few sunny days and low tourist visitation days in Sacramento.
3. In the spring, summer and fall, shade will impact little pedestrian area which is not already shaded due to existing buildings and the canopies over sidewalks in Old Sacramento. Furthermore, the weather in Sacramento is sufficiently hot during much of this time so that shade cannot be considered a significant adverse impact.

RESOLUTION 88-055

JUL 5 1988

Aesthetics/Glare (Impact E)

The Draft EIR recommended as a mitigation measure that low reflective glass be substituted to reduce the potential adverse impact from glare to an insignificant level.

The Project design, as proposed, will utilize low reflective glass.

The Agency finds that no additional mitigation measure is required to reduce this impact to an insignificant level.

Cultural Resources

The Agency finds that any possible adverse impact on subsurface cultural deposits is adequately mitigated by Conditions #15 and #16 of the staff report.

Section 3: The Agency finds that certain EIR-identified impacts will remain significant notwithstanding implementation of EIR-recommended and other mitigation measures.

Traffic

The Agency concurs with the EIR that the Project will not by itself create any location of significant traffic congestion. The Agency further concurs with the EIR conclusion that this Project will contribute to existing and future cumulatively-caused traffic congestion at 3rd and "J" Streets and at 3rd and "P" Streets. Notwithstanding compliance by the Project with the City's Trip Reduction Ordinance, additional compliance with Condition #9 of the staff report requiring a Transportation Management Plan ("TMP"), and a provision of a minibus shuttle service per Condition #18 of the staff report, the Agency finds that this project will continue to contribute to cumulatively-caused traffic congestion in the vicinity. This contribution to cumulative traffic congestion has been reduced to the greatest extent feasible. Section 5 herein further explains the basis for this conclusion.

Air Quality

The Agency finds that this project will contribute to present exceedences of state and federal ozone and carbon monoxide air quality standards. The amount of this contribution has been reduced to the greatest extent feasible by compliance with Conditions #9 and #18 of the staff report (TMP and shuttle service) and by compliance with the City's Trip Reduction Ordinance.

RESOLUTION 88-055

JUL 5 1988

Section 4: The Agency has balanced the benefits of the Project against the unavoidable contribution of the project to existing and future cumulative traffic and air quality problems. The Agency notes that, with one exception, all EIR-recommended mitigation measures as well as additional mitigation measures have been imposed as conditions of the Project approval. The only mitigation measure recommended in the EIR not imposed on the Project is a reduction in the size of the Project. This mitigation is rejected for the following reasons:

- A. Construction of a 10-story, five-story, or project of any lesser size than that approved will also result in a contribution to cumulatively-caused traffic and air quality problems. Small projects generate fewer trips; however, a small project will not result in trip reduction measures (i.e., shuttle service, car/van pools, etc.) and other benefits to the community which the applicant has offered contingent on approval of the proposed amount of building square footage. Furthermore, no discretionary entitlements (other than design review) are necessary to construct a new building less than 75,000 square feet and, accordingly, the City would have no ability to impose parking, traffic and other non-architectural conditions on the construction of a small office building.
- B. Community Benefits offered by the applicant contingent on approval of the proposed building square footage include:
 1. Construction of a historically accurate structure on Sacramento Housing and Redevelopment Agency ("SHRA") owned land (Parcels 113-115 and 122-123) immediately north of the Project. Per the testimony of SHRA staff person Leo Goto at the April 4, 1988 public hearing on this Project, SHRA has experienced difficulty in completing the redevelopment of the south part of Old Sacramento. To date, no feasible proposals have been submitted to SHRA for Parcels 113-115 and 122-123 notwithstanding SHRA solicitation of proposals. The proposed historic reconstruction on SHRA-owned land will benefit the public by (a) providing 150 short-term public parking spaces in that part of the new parking facility which is most accessible to Old Sacramento business patrons; and (b) reserving the commercial space for "service businesses" now needed, but lacking, in Old Sacramento according to the Halcyon Report.

RESOLUTION 88-055

JUL 5 1988

2. Provision of a child care center in the Project (Section III of the SHRA Memorandum of Understanding ["MOU"]).
3. Contribution of \$100,000 for a performing arts program in Old Sacramento, and establishment of a small theater (Section V of the SHRA MOU).
4. Voluntary contribution of an estimated \$2,400 per year to the Old Sacramento Maintenance Benefit Area and an additional contribution of an estimated \$4,500 per year to the Old Sacramento Business Improvement Area (Section VII, SHRA MOU).
5. Construction of a galleria pedestrian link through the Project to facilitate foot travel between Old Sacramento and Capitol Mall office building occupants.
6. Agreement to make available for public parking all (532+) parking spaces on the weekends and evenings.
7. Generation of property tax, sales and use tax and other City revenues which according to the EIR would provide a net surplus to the City of approximately \$99,700/year.
8. Addition of approximately 800-1,100 employees to the customer base of Old Sacramento, an area which has experienced business failure and vacancies in part because the customer base is heavily dependent on tourists and not enough dependent on local residents and employees.

Section 5: The Agency notes that conditions have been imposed on the Project to mitigate environmental concerns articulated at the public hearings on the Project. Because these are not EIR-identified significant impacts, CEQA does not require findings for these impacts. Nonetheless, it is important to document the nexus between conditions imposed on the project and environmental concerns raised during the public hearing process.

RESOLUTION 88-055

JUL 5 1988

Impact

Required Mitigation

Construction impacts

Staff report Conditions 2, 3, 4, 8, 10, 11, 12

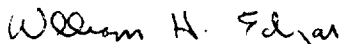
Parking

Agency MOU
Section I (150 short-term public spaces)
Staff report Condition 18 and Agency MOU Section IV (Shuttle bus)
Applicant's agreement to make all project spaces available to the public evenings and weekends



CHAIR

ATTEST:



SECRETARY

1100WPP2(57)

RESOLUTION 88-055

JUL 5 1988