

P97-120

**Curtis Park West PUD - Status Report/EIR
Scoping Session**

LOCATION: Area Bounded by Portola Way, 24th Street, Sutterville Road
& Union Pacific Railyard
APN: 013-0010-006,008
Sacramento City School District
Council District 5

APPLICANT:	Charles Sumner II, Prentiss Properties, 646-0760 2485 Natomas Park Dr. Ste. 350, Sacto. CA 95833
OWNER:	Union Pacific Railroad Co. A Utah Corp, One Market Plaza Ste. 870; San Francisco, CA 94105
PLANS BY:	Lionakis-Beaumont Design Group, Inc 1919 19th Street, Sacto. CA 95814
APPLICATION FILED:	November 4, 1997
STAFF CONTACT:	Bridgette Williams, 264-5000

BACKGROUND INFORMATION:

This report is to provide the City Planning Commission with an overview of the current application components and anticipated processing procedure for Union Pacific Railroad's application. The purpose of the meeting is to also solicit initial comments as to the scope and content of the information to be included in the Environmental Impact Report (EIR) for the project. A Notice of Preparation for the EIR has been issued and this meeting is the first of two public meetings planned as "Scoping Sessions" for the Curtis Park West project EIR. No formal action by the Commission is necessary at this time. This report is informational only and simply outlines for the Planning Commission: 1) the specific entitlements and key project components identified in the Curtis Park West PUD application and ; 2) the process and a draft time line for processing the Curtis Park West PUD application. A status report for the project went before the City Council on April 28, 1998.

An additional issue affecting this site is that this is a Superfund site and prior to any development occurring on site, the land must be remediated consistent with the adopted land use plan (per attached Reso.98-517, adopted 10/13/98).

A. Entitlements\Project Components

The owner, Union Pacific Railroad, proposes to amend the General Plan, rezone portions of the Union Pacific Railyard and establish a Planned Unit Development, Schematic Plan and Development Guidelines for a mixed use residential\commercial development to be known as Curtis Park West PUD on 65.2± vacant acres.

The project requires the following entitlements:

General Plan Amendment to change 65 acres from the current land use designation of Transportation, Utilities to the following:

- 11.5± acres of Community\Neighborhood Commercial & Offices;
- 5.2± acres of Medium Density Residential\Community, Neighborhood Commercial & Offices (an additional 1.0 acre is proposed outside of the planned area);
- 7.0± acres of Parks; Recreation, Open Space;
- 21.4± acres of Low Density Residential (4-15 du\na); and
- 20.5± acres of Medium Density Residential (16-29 du\na);

Rezonings to change the existing 65 acres from a Heavy Industrial zone (M-2) to zones that will accommodate the commercial, residential mixed use, residential and open space uses. The zoning will indicate the property is within a PUD and specific guidelines are in place. The following rezones are requested:

- 11.5± acres of General Commercial PUD (C-2{PUD});
- 5.2± acres of Residential Mixed Use (RMX-PUD)(an additional 1.0 acre is proposed outside of the planned area);
- 7.0± acres of Agriculture Open Space (AOS-PUD);
- 21.4± acres of Standard Single Family Planned Unit Development R-1 {PUD});
- 14.5± acres of Single Family Alternative (R-1A{PUD}); and
- 6.0± acres of Multi-Family Planned Unit Development (R-3{PUD});

Establishment of a Planned Unit Development and PUD Guidelines to provide elements for the formation of an infill site with mixed use, residential and commercial development. The guidelines are intended to be the primary working document for property owners, the City and the community in shaping development and design decisions in the development. Provisions will be provided in the guidelines for the review of building architecture, landscaping, lighting, signage, street trees, etc.

Planned Unit Development Schematic Plan to establish the location of designated zones, residential uses and commercial uses, open spaces and circulation patterns.

The chart below indicates the proposed zoning, land uses, acreage, densities and commercial square footage for the Curtis Park West project site.

PROPOSED PROJECT COMPONENTS: CURTIS PARK WEST PUD

LAND USE	PROPOSED ZONING	# OF UNITS		GROSS ACREAGE	DENSITY	SQ. FT.
		Low	High			
Single Family	R-1(PUD)	103	137	21.4	*6 to 8 du/na	
Mixed Density	R1A(PUD) 1	116	139	14.5	*10 to 12 du/na	N/A
Senior\Multi-Family	R-3(PUD) 2	86	115	6.0	*18 to 24 du/na	N/A
a.Residential Mixed Use	RMX(PUD) 3	62	75	5.2	*15 to 18 du/na	N/A
b.Residential Mixed Use	RMX(PUD) 4	62	75	5.2	N/A	10,000
Commercial	C-2(PUD)5	N/A	N/A	11.5	N/A	115,000/ or 245,000
Public Open Space	AOS(PUD)	N/A	N/A	7.0	N/A	N/A
TOTAL:	N/A	367	466	65.6	N/A	N/A

Footnotes:

- 1) allows up to 15 units per acre max.(per City Zoning Ordinance)
 - 2) allows up to 29 units per acre max. (per City Zoning Ordinance)
 - 3) allows up to 36 units per acre max. This zone allows as a matter of right 100% residential uses (single and two-family houses, apartments, condominiums, townhouses) and/or a combination of commercial\office and residential;
 - 4) ground floor commercial\office uses may occupy up to a max. of 50% of the building sqft on sites greater than 3,200 sqft in area; (per City Zoning Ordinance)
 - 5) intended for either a commercial option with 115,000 sqft (85,000 neighborhood center/30,000 storefront shops) or an institutional/mixed use option with 245,000 sqft (200,000 institutional/45,000 commercial)
- * densities are based on net acreage

The 65± acre project site is surrounded on all sides with development. Because it is surrounded by development, the project represents a major infill opportunity. Presently, Sacramento City College is located to the west, the existing Curtis Park Neighborhood to the east and north and Hollywood Park Neighborhood and Sacramento Children's Home is to the south of the site.

Residential, commercial and open space uses are the primary land uses proposed on the site (majority of the site is planned for housing). A residential mixed use (residential\commercial) component is proposed at the northwest end of the site near one of two light rail stations planned for the immediate area (21st Street light rail station). The residential mixed use allows for ground floor commercial services and residential densities of 15-18 units per acre. The entire residential mixed use piece could also be developed with 100% residential under its proposed zoning (RMX-PUD). Increased residential densities consisting of mixed use, townhouses and senior living\multi-family are proposed along a majority of the western side of the property because of the close proximity to the future light rail stations. The multi-family\senior housing proposal described in the submitted guidelines provide for a senior housing development or a multi-family housing complex with amenities such as extensive landscaping etc. The higher and mixed densities will permit additional diversity in housing products and prices. The applicant has recommended that at least 10 percent of the overall housing units in the Curtis Park West development be available to modest and middle income households at affordable costs.

The commercial land uses proposed at the south end of the project site (along Sutterville Road) are planned and sized to provide local serving stores and shops that primarily meet the day-to-day needs of residents in the area. The commercial setting is emphasized in the application as being a "village center" for the Curtis Park Community. The "village center" is described as the gateway located at the southern end of the site. The "village center" will be the storefront shopping district which invites pedestrian scaled neighborhood shopping activity. The submitted guidelines indicate that a park plaza will be incorporated in the "village center" that could be used for gathering, sitting and programmed events. An expansion of the existing Sacramento City College has been identified in the submitted Development Guidelines as a potential land use alternative at the southern end of the property.

Approximately seven (7) acres of open space\parks are depicted on the land use plan. Of the seven acres planned for the area, 3.5 ± acres of active open space is located on the site to be developed in the form of a green space utility easement above the City's regional storm and sanitary sewer detention facility. Other open space uses on the site will be in the form of mini open space nodes and a linear oak preserve (2.2 ± acres) that encompasses most of the northern portion of the site. The 2.2 ± acre green space preserves significant oaks and other species of

trees in publicly accessible passive open space.

Primary access to the site will be from Sutterville Road. A new signalized intersection is proposed at the point where Western Pacific Avenue intersects Sutterville Road from the south. Planned bike trails, vehicular and/or pedestrian connections at 21st Street and 24th Street and a separated grade crossing identified on the land use plan allow for connectivity to the existing Curtis Park neighborhood and City College's future light rail station. Vehicular connections have also been considered between 5th Avenue and Donner Way into the site from the Curtis Park neighborhood. As noted above, two light rail stations (City College Station & 21st Street Station) are planned along Regional Transit's South Corridor alignment which borders the west side of the site. As previously mentioned above, Development Guidelines are included as part of the project entitlements. The applicant has indicated that the Development Guidelines are intended to help shape future development on the site and to ensure that new development replicates the existing Curtis Park neighborhood.

B. The Process

MOU Process

On November 28, 1995, City Council approved a Memorandum of Understanding (MOU) with Union Pacific Railroad. The MOU outlined the pre-application planning process and the planning entitlements to be sought. The MOU also included formation of a "Working Group" and a public process to participate in the planning process for development of the master land use plan for the 65 ± site. The appointed 24 member "Working Group" was to act as the advisory and constituent outreach body in the neighborhood. During development of the land use plan submitted, newsletters were distributed to residents and businesses in Curtis Park and nearby residential neighborhoods to inform the public of neighborhood workshops, Commission and Council hearings and project development activities. Public workshops and several neighborhood meetings were held to keep the neighborhood informed of the ongoing progress for the land use plan and receive input. The public process with the "Working Group" lasted for 18 months and was dissolved once the formal application by Union Pacific was submitted. Many of the original "Working Group" members elected to continue their public involvement in the process as an organized group and have, therefore, formed a new group identified as the "Neighborhoods Working Group" (an ad hoc committee of the Sierra Curtis Neighborhood Association). The newly formed group provides comments to the City on the project and works to ensure existing neighborhoods are protected.

Application\Review Process

The Union Pacific project proposal for development of the 65 ± acre master land use plan was submitted to the City on November 4, 1997. After extensive review of studies, fact sheets, maps and graphics submitted as part of Union Pacific's Railyard application, the City determined that Union Pacific's application package met the requirements of the MOU and, therefore, deemed the application complete on April 2, 1998. Subsequently, the City executed and delivered to Union Pacific the necessary documents releasing all title and interest in the property.

Since formal application submittal, the City began its initial steps to process the land use application. Outlined below is an overview of the planning process anticipated for the project. A step by step description of the EIR process and timeline is also attached.

- STEPS:
- Application submittal;
 - Initial Project Review with the MOU\Processing of application;
 - Project information distributed to appropriate agencies, neighborhood associations, original "Working Group" members, City College and City Councilmembers;
 - Internal City Review by Technical Review Committee (TRC)(General comments received from City departments)
 - Status Report to City Council (4\28\98)
 - Status Report & environmental Scoping Session (City Planning Commission; 11\5\98)
 - EIR Consultant Selection Process (see attached description with timeline);
 - Scoping Session for EIR with selected consultants;
 - On-going public participation in EIR development (traffic,toxics)
 - Release of Draft EIR for public review/Preparation of Final EIR
 - Preparation of staff report with staff's recommendations (on-going analysis of project during EIR process);
 - City Planning Commission Hearing/Action on Project;
 - City Council Hearing;

The process for preparation of an EIR for the project is underway. An initial study has been prepared and the Notice of Preparation (NOP) for the EIR was issued on October 21, 1998. Two public scoping sessions for the EIR are planned to ensure that neighborhood and agency concerns are addressed. One session will occur prior to EIR consultant selection (at the 11/5/98 CPC hearing) and the other session is planned for after consultant selection. Comments as to the scope and content of the information to be included in the EIR are encouraged at both "Scoping Sessions" for the EIR as well as during the NOP comment period of

October 21, 1998 through December 4, 1998.

At present, the Neighborhood Working Group has already submitted some ideas on the environmental review process. The City will analyze the project traffic against the neighborhood's recommended yardsticks in addition to the typical traffic analysis in an EIR. Preliminary steps for the environmental and planning process are identified in the attached timeline. The City anticipates the overall process may take roughly 18 months. Public meetings will occur throughout this process.

Public Participation

As previously mentioned above, a 24 member "Working Group" was involved in an 18 month process for development of the 65 ± acre Curtis Park land use plan. The City encourages Curtis Park residents to continue their involvement in the planning process for the proposed project. Specific segments of the process will include many opportunities for public participation which are noted above. The public will be asked to attend and participate in: 1) EIR scoping meetings; 2) public meetings with the appointed Curtis Park West Toxics Committee for policy development associated with the project; 3) community outreach meeting for an update; and 4) public hearings.

Official public notices for community meetings, City Planning Commission and City Council hearings will be mailed to residents in the area. The City is required to notify all those residents within a 500 foot radius of the site but will mail to an additional 3,000 residents and businesses in the community. Additional fliers, newsletters etc. may be distributed with the assistance of neighborhood groups and Curtis Park residents.

C. Hazardous Materials

Curtis Park West Toxics Advisory Committee

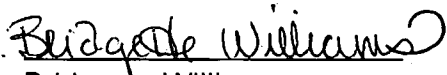
A Toxics Advisory Committee, requested by Councilmember Hammond, was formed in order to address specific toxic issues relative to the site and recommend mitigation strategies and policies for post Department of Toxic Substance Control (DTSC) Remediation Action Plan (RAP) Certification. The committee is comprised of 11 people that represent different local agencies and neighborhood groups (Sacramento Environmental Commission, Curtis Park neighborhood representatives, City College & at large members). The committee has been meeting since May 18, 1998, and meets on a monthly basis. Two public workshops are planned.

To date, the committee has educated itself on the site's hazardous materials history, the CEQA process and the Downtown Railyards Environmental Oversight Program. This education will allow the committee to make recommendations (in report format) to the City on toxics mitigation strategies for after DTSC RAP certification. These mitigation strategies will be incorporated into the Hazardous Material Section of the EIR. The committee will also make recommendations for implementation of a Curtis Park West Environmental Oversight Program.


Hazardous Waste Clean-up on the Site

As reaffirmed in the attached Resolution (Reso. 98-517), adopted October 13, 1998, the City's position is that land use will drive clean-up. Additionally, the City has retained William Brown of Daley & Heft Attorneys at Law out of Solana Beach, California, to provide legal services to assist and advise the City of Sacramento of relevant legal issues pertaining to toxics and California legislative developments.

Report Prepared By,

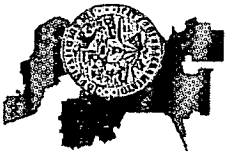
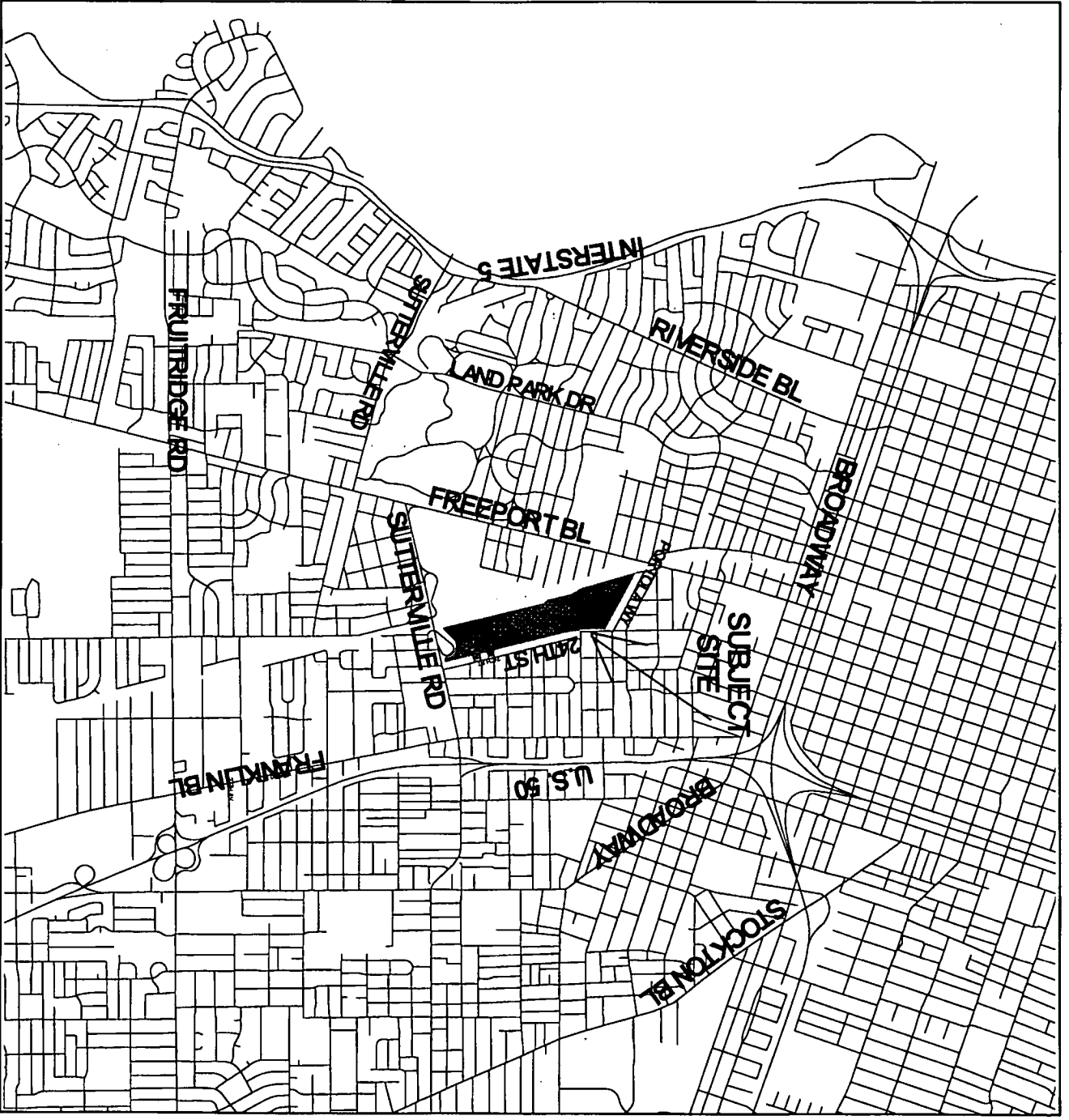

Bridgette Williams
Associate Planner

Report Reviewed By,


Senior Planner
Fred Buderer

Attachments

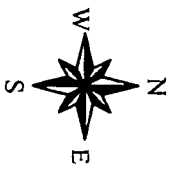
- Attachment A - Vicinity Map
- Attachment B - Land Use and Zoning Map
- Attachment C - Proposed Land Use Map
- Attachment D - Proposed Circulation Map
- Attachment E - Proposed Toxics Overlay Map
- Attachment F - Resolution Related to Hazardous Waste Clean-up
- Attachment G - Project Timeline

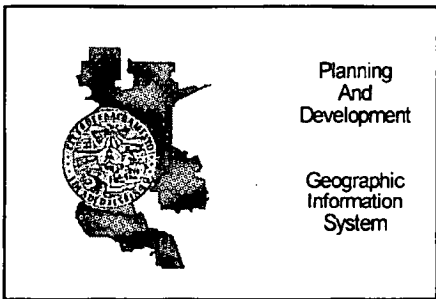
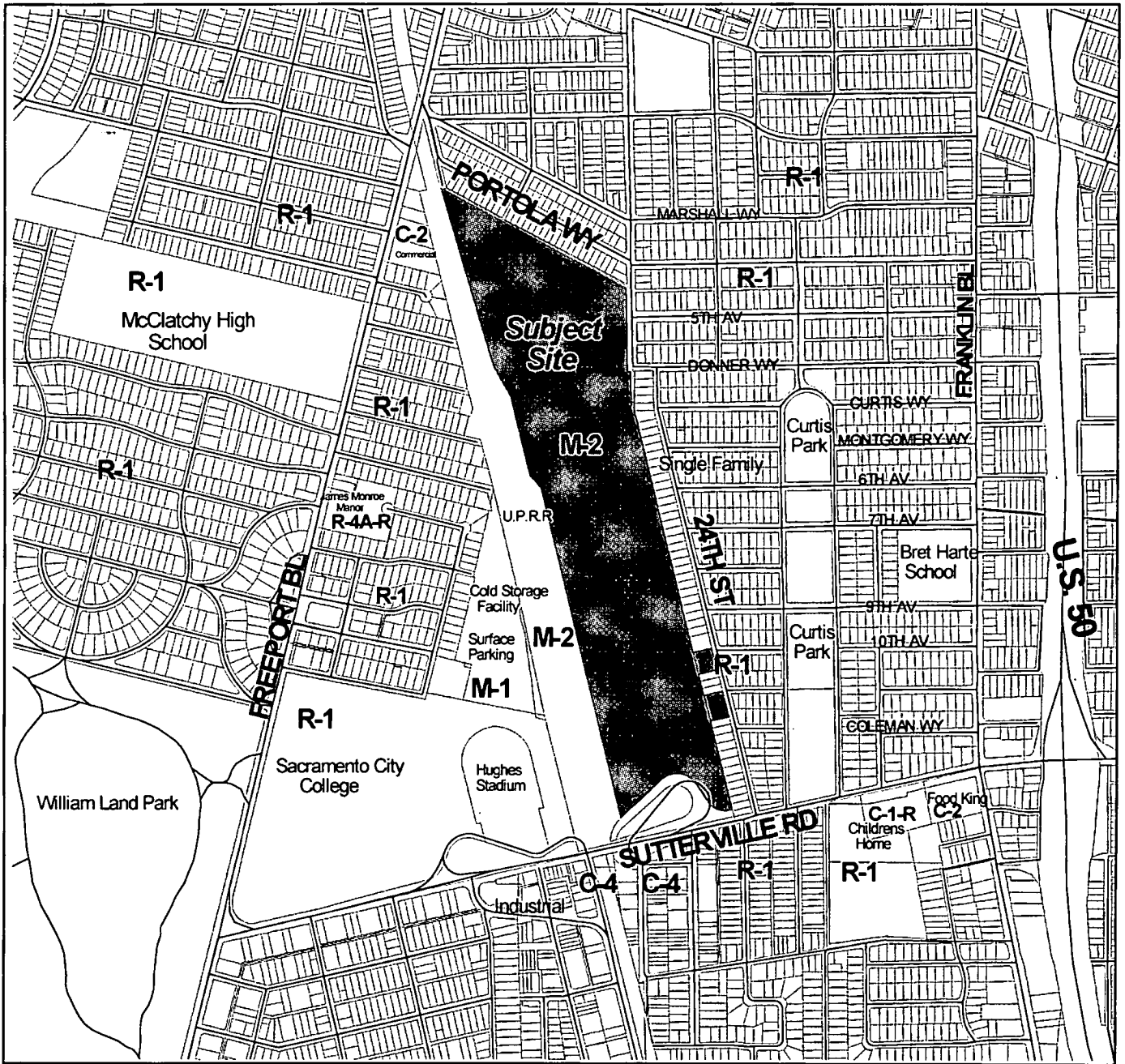


Planning
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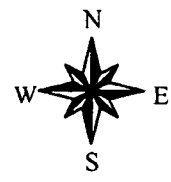
Vicinity Map
P97-120

1000 0 1000 Feet





Land Use & Zoning Map
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CURTIS PARK WEST PUD TIMELINE

Task Name	Duration In Months	1998				1999					2000											
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
CURTIS PARK WEST PUD	23.86mon	[Timeline bar spanning from Sep 1998 to May 2000]																				
City Council/Info Meeting (4/28/98)																						
City Plng Cmsn/Info Meeting			△																			
EIR PROCESS	18.16mon	[Timeline bar spanning from Sep 1998 to May 2000]																				
Develop Notice of Preparation	1.00mon	[Bar]																				
Public Review of Notice of Preparation	1.44mon		[Bar]																			
Scoping Meeting			△																			
Consultant Selection	2.94mon		[Bar]																			
Scoping Meeting				△																		
Prepare Draft EIR	8.32mon				[Bar]																	
Public Review of Draft EIR	2.07mon													[Bar]								
Prepare Final EIR	4.00mon																					
Release/Review Final EIR	0.55mon																					[Bar]
PLANNING PROCESS	0.92mon																					[Bar]
CPC - Action Hearing																						△
CC - Action Hearing																						△

RESOLUTION NO. 98-517

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OCT 13 1998

ON DATE OF _____

A RESOLUTION RELATING TO HAZARDOUS WASTE CLEANUP OF THE UNION PACIFIC RAILYARD

WHEREAS, the Council adopted Resolution No. 92-255 on April 14, 1992, in which the Council Resolution endorsed the Union Pacific Land Use Committee (UPLUC) planning principles for the reuse of the Union Pacific Curtis Park Yard. The UPLUC recommended land uses were (1) residential development, (2) open space recreational, (3) neighborhood-serving commercial, (4) possible Sacramento City College expansion, and (5) light rail and transit-oriented design; and

WHEREAS, despite a state policy that cleanup levels must be compatible with planned land use, the Department of Toxic Substances Control in 1995 refused to delay its Final Remedial Action Plan until the City had approved its land use plan for the site; and

WHEREAS, over the objections of the City, and without a City-approved final land use plan, the State Department of Toxic Substances Control (DTSC) approved a Final Remedial Action Plan (RAP) which was inconsistent with the Council-approved UPLUC goals, since it did not reflect the residential and open-space priorities of those goals. The Department's Final Remedial Action Plan has placed significant restrictions on the future land use of two-thirds of the Union Pacific Yard by allowing only commercial use and mixed use (commercial-resident) to prevent human exposure to contaminated soils; and

WHEREAS, to address the City's objections to approving a Final Remedial Action Plan in the absence of an approved local land use plan, the Executive Summary of the Final Remedial Action Plan states that the Department will require a second phase of remediation after the Department certifies the final Remedial Action Plan and after the City approves a final land use plan; and

WHEREAS, unless such second phase of remediation suggested in the Final RAP occurs, the decision of DTSC approving the Final RAP, and remediation pursuant thereto, will or may have the effect of preempting the City from exercising its local land use planning responsibilities and leave most of the developable portions of the property suitable for only commercial or industrial use, rather than residential use; and

WHEREAS, there is a perceived loophole in existing state law which could allow the railroad to avoid any additional cleanup responsibilities if the Department of Toxic Substances Control certifies

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 98-517
DATE ADOPTED: OCT 13 1998

the completion of the cleanup provided in the Final Remedial Action Plan prior to the City's adoption of a final land use plan; and

WHEREAS, the Department may be unable to require the additional cleanup promised in the Final Remedial Action Plan necessary to allow for a compatible development in accordance with the City's approved land use plan;

BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

- (a) The Council reaffirms its policy that the cleanup requirements for the property must be adequate to allow the City Council to exercise its discretion to make land use decisions based on local land use needs, and not based on existing levels of contamination; and
- (b) The Council requests that before certifying the completion of the cleanup required under the Final Remedial Action Plan, the State Department of Toxic Substances Control require cleanup of the site in compliance with the City's final adopted land use plan for the site; and
- (c) The Council urges the Legislature to reenact the State Superfund law; and further, when it reenacts that law, to include appropriate provisions to accomplish the following: (i) to eliminate the perceived loophole in the current law which could allow the Union Pacific Railroad to complete its cleanup of the Curtis Park Railyard without having remediated the site sufficiently to allow the City to adopt and implement its land use plans for the site; (ii) to ensure the City's ability to exercise its local land use planning responsibilities is fully protected; and (iii) prohibit DTSC from making a determination that the remedial action plan is complete until after the City has completed the planning process currently underway and adopted a new land use plan for the site.

JOE SERNA, JR.

MAYOR

ATTEST:
VALERIE BURROWES

CITY CLERK

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RESOLUTION NO.: 98-517

DATE ADOPTED: OCT 13 1998