

Comment Letter 80

From: Roberts, Valerie@CDFA <valerie.roberts@cdfa.ca.gov>
Sent: Thursday, January 09, 2014 3:07 PM
To: Dana Allen
Subject: RE: McKinley Village Draft EIR extension of comment period

Hi Dana,

My comment is as follows:

Most of my neighbors and I enjoy walking to the store, library, restaurants, etc. Unlike Natomas, we don't drive into our garages on Friday and aren't seen again until Monday morning. We know our neighbors, because we have porches and enjoy being out front. If we have a lot of cars going down the street that impact our lives. This report is just about traffic (levels of service), not livability of the residential streets that traffic effects.

80-1

City policy M 4.3.1., as stated in your EIR states, "to design streets and improve development applications to reduce high traffic flows within Residential neighborhoods." Well perhaps the new development will have this applied to it. I believe existing neighborhoods should be protected. A residential street should not have more than 100 cars on it in a day.

80-2

I object to the potential Village residents, that will be subject to the noise and pollution of the highway and the railroad. I really can't imagine the city allowing that to happen, although you did let people keep building in Natomas, when it was a flood zone.

80-3

My neighbors and I have a right to enjoy the community we bought into, figuratively and literally, we liked the fact it doesn't have a great deal of traffic, yet is close to downtown and activities.

80-4

Respectfully submitted,
 Valerie Roberts
 3148 D Street
 Sacramento, CA 95816

From: Dana Allen [<mailto:DAllen@cityofsacramento.org>]
Sent: Monday, December 09, 2013 10:32 AM
To: Dana Allen
Cc: Tom Buford
Subject: McKinley Village Draft EIR extension of comment period

The City of Sacramento, Community Development Department has extended the comment period on the Draft EIR for the McKinley Village Project to January 10. Please see the attached revised Notice of Availability.

Thank you for your interest in this project.

Dana L. Allen, Associate Planner
 Environmental Planning Services
 Community Development Department
 City of Sacramento

Letter 80: Valerie Roberts, January 9, 2014

80-1: The commenter offers an example of her neighborhood experience and states that the Draft EIR does not address livability associated with traffic.

Please see Master Response 10 that addresses livability in regards to traffic. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

80-2: The commenter offers his opinion that existing neighborhoods should be protected and a residential street "should not have more than 100 cars on it in a day."

Please see Master Response 10 that addresses livability in regards to traffic. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

80-3: The commenter states his objection to developing this site and exposing future residents to noise and pollution from the freeway.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

80-4: The commenter states his opinion that he and his neighbors have a right to enjoy the community they live in because it has limited traffic and is close to downtown and activities.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 81

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR PROPOSED MCKINLEY VILLAGE RESIDENTIAL DEVELOPMENT

January 8, 2013
Richard VanCuren, 3225 McKinley Blvd., Sacramento, CA 95816
tonyvancuren@yahoo.com.

The comments presented here focus on the inadequacy of the DEIR in regard to traffic and circulation issues. These inadequacies listed here, with fuller discussion in the following pages.

Needed revisions and expansion of the DEIR, at minimum:

- 1. Revision of the DEIR impact assessment for traffic and circulation to properly reflect the impacts of the proposed project on the surrounding neighborhood. The analysis should include assessment of the proportional increase of traffic on area streets, as was used by the city in designing and assessing the success of the Midtown Neighborhood Preservation Transportation Plan. 81-1
- 2. Expansion of discussion and analysis of project alternatives, including consideration of a project alternative that incorporates a modified circulation plan including vehicular access at the north end of Alhambra Blvd. The developers' objections to the cost of such a connection are not sufficient grounds to eliminate study of this alternative. 81-2
- 3. Recognition of the already marginal public transportation service in the area, including the recent discontinuation of transit (bus) connection to light rail (Transit Renewal 2012-2017) and the impracticality of providing transit access to the project itself. 81-3
- 4. Assessment of the negative impact of the project on regional circulation by the making the A St. bridge over Business-80 a major access route to the project site. This will create an added impediment to resolving the existing "bottleneck" congestion on Business-80 due to lane reduction north of the E St. onramp. 81-4
- 5. Correct misrepresentation of bicycle access via Alhambra Blvd. tunnel. The DEIR and the McKinley Village PUD guidelines both indicate a bicycle/pedestrian tunnel to be included in the project, but recent statements by the developer contradict this. The City should require the developer to clarify the status and intended timing of construction of this underpass, and correct all documents appropriately. 81-5

1. Revision of the impact assessment for traffic and circulation to properly reflect the impacts of the proposed project on the surrounding neighborhood.

The traffic assessment in the DEIR is focused on determining the impact of project-generated traffic on traffic flow alone, and does not address the impacts of traffic on the livability of the impacted neighborhoods.

As noted in the DEIR, traffic impacts along portions of C St. are already unacceptable for both traffic flow and for the livability of a residential neighborhood. As such, absent alternative circulation improvements (*e.g.* vehicle access from Alhambra Blvd.) or a reduction in the number of dwelling units in the project, this is an unmitigated impact.

81-6

Moreover, the impact of increased traffic on presently quiet residential streets is not limited to traffic delays, but includes noise and increased risk to pedestrians (particularly the elderly and children) from faster-moving through traffic. Consideration of such concerns were accepted as policy by the City in assessing traffic impacts and adopting traffic calming measures to protect the residential livability of Midtown (City of Sacramento, 1996; Brown and Fitzsimmons). Traffic calming measures to be installed within the project are included in the City’s PUD guidelines for the project (City of Sacramento, 2013). Similar consideration should be given to existing residential areas impacted by this project.

81-7

The perception of traffic by residents is an important characteristic of a neighborhood. Absolute numbers of cars do not reflect the impact of modest increases in numbers when the baseline traffic is very sparse (see the example of D Street in the Midtown Plan). The analysis should include assessment of the proportional increase of traffic on area streets, as was used by the city in designing and assessing the success of the Midtown Neighborhood Preservation Transportation Plan.

81-8

2. Expansion of discussion and analysis of project alternatives. The significant traffic impact already felt around the Cannery Business Park will be markedly increased by the proposed project. Much of this impact could be mitigated by creating vehicular access from the project directly to the north end of Alhambra Blvd., with little impact on the current project design.

An honest and comprehensive discussion of alternatives must include consideration of a project alternative that incorporates vehicular access at the north end of Alhambra Blvd.

81-9

The developers’ objections to the cost of such a connection are not sufficient grounds to eliminate study of this alternative. The identified traffic problems are inherent limitations of the site, and is incumbent on the City to include in the DEIR discussion of all technically feasible mitigations.

- 3. **Recognition of the already marginal public transportation service in the area.** The DEIR discussion of transit access simply accepts the current inadequate access, and does not address how that does not fit with the City Plan guidelines or the intent of AB375.

The DEIR needs to acknowledge the recent discontinuation of transit (Rte. 34 bus) connection to light rail (Sac RT, 2012) and the impracticality of providing transit access to the project itself. Although geographically proximate to the central city, this particular project cannot meet the City and State planning goals of pedestrian access and reduced dependence on private vehicles.

81-10

- 4. **Assessment of the negative impact of the project on regional circulation.** The current congestion on North-bound Business 80 is aggravated by two narrow bridges over the freeway, one for the UP railroad and the other for A Street. Caltrans has indicated that its long term plans for HOV lanes (Caltrans District 3, 2012) include adding an HOV lane between E Street and CalExpo.

By making the A St. bridge over Business-80 a major access route to the project site, the project will complicate efforts to correct this, both by making improvements to a bridge that is already facing removal or modification to resolve existing traffic, regionally significant congestion on Business-80, and by imposing logistical constraints on any future fixes in this area because closing A Street during extended freeway construction would put the McKinley Village area and its residents at risk due to having only one remaining access point. Thus, the proposed project will serve to perpetuate a regional traffic problem by compounding ageing infrastructure with poor land use planning.

81-11

In parallel with the comments at 2 (above), a reasonable mitigation to this impact is creation of vehicular access at Alhambra Blvd. This should be assessed in the DEIR.

- 5. **Correct misrepresentation of bicycle access via Alhambra Blvd. tunnel.** The DEIR (p. 2-45) and the McKinley Village PUD guidelines (Fig 24, pp. 5-6, and 44-45) indicate a tunnel to be provided, but recent statements by the developer contradict this, suggesting that the tunnel would be built “at a later time.” The City should require the developer to clarify the status and intended timing of construction of this underpass, and correct all documents appropriately.

81-12

If the recent statement is correct, that the underpass will be delayed, the City should reject any such plans.

RELEVANT DOCUMENTATION:

Brown, Steven, and S. Fitzsimmons (undated), CALMING THE COMMUNITY (Traffic Calming in Downtown Sacramento), Institute of Transportation Engineers, Washington, DC <http://www.ite.org/traffic/documents/AHA97G52.pdf>.

Caltrans District 3, Sacramento Region Bus/Carpool Lane Network Vision, http://www.dot.ca.gov/dist3/documents/D3HOV_Vision2011_Final.pdf.

Caltrans District 3 (2012), *State of the Corridor Report*, 2012 Report on the Interstate 80 and Capital City Freeway Corridor System Management Plan, http://www.dot.ca.gov/dist3/departments/planning/csmp/2012_SOTC_Reports/2012_Final_I-80_Cap_City_SOTC_11-29-12.pdf

CH2M Hill (1993), Evaluation of Midtown Neighborhood Preservation Transportation Plan: Final Report

City of Sacramento (October 2013), McKinley Village Planned Unit Development Guidelines, City of Sacramento, Planning Department, http://portal.cityofsacramento.org/~media/Files/CDD/Planning/ActiveProjects/McKINLEY_VILLAGE_PUD_GUIDELINES.ashx

City of Sacramento (May 1996), Midtown neighborhood preservation transportation plan (NPTP), City of Sacramento, Planning Department.
Sacramento Regional Transit District (2012), Transit Renewal 2012-2017, http://sacrttransitrenwal.tmdinc.net/pdf/1_TransitRenewal_y1.pdf

Letter 81: Richard VanCuren, January 8, 2013

- 81-1: The commenter requests that the traffic analysis should include an assessment of the proportional increase in traffic on area roads in terms of the Midtown Neighborhood Preservation Transportation Plan.

The impact of the project on transportation has been fully analyzed and documented in Section 4.9 of the Draft EIR in accordance with the requirements of CEQA. The Existing and Existing Plus Project scenarios provide an overview of the increase in traffic associated with the project. The project site is not included within the Midtown Neighborhood Preservation Transportation Plan area and the plan is therefore not relevant to this project.

- 81-2: The commenter is requesting the alternatives analysis be expanded to include a vehicle access at Alhambra Boulevard.

The commenter is referred to Response to Comment 26-9 that addresses a reasonable range of alternatives required to be evaluated in an EIR and Master Response 1 that addresses the infeasibility of constructing a vehicle bridge/roadway underpass in this location.

- 81-3: The commenter is stating that marginal public transportation service exists in the area and cites the impracticality of providing transit access to the project site.

Transit services in the vicinity of the proposed project are documented on pages 4.9-15 through 4.9-16 of the Draft EIR. As stated in the Draft EIR, the closest stop to the project site is located at the intersection of E Street/Alhambra Boulevard, just over a quarter mile south of the proposed bicycle/pedestrian access point (if approved by Union Pacific and the appropriate government agencies). The proposed access points to the project site would result in relatively direct connections to existing bus stops (i.e., bicycle/pedestrian access at Alhambra Boulevard (if approved) would provide for a direct route to the nearest bus stop to project located at the Alhambra Boulevard/E Street intersection (if approved); C Street access roadway would provide for direct route to the stop located west of 40th Street/McKinley Boulevard intersection) (DEIR pp. 4.9-58 – 4.9-59). Please see also Response to Comment 17-6 and the graphics in Chapter 2 of this Final EIR that show proximity to transit and amenities.

- 81-4: The commenter states that the project, specifically the A Street Bridge will create a bottleneck on Capital City Freeway due to the lane reduction north of the E Street onramp.

Proposed improvements to the A Street Bridge would not affect the Caltrans transitional lane project. As stated on page 2-63 of the Draft EIR, "Caltrans has

indicated these improvements could be constructed within the next 7 to 10 years; therefore, the project has been designed to accommodate these improvements if constructed at a future date.” Accessing the project site from A Street Bridge would not create an impact on the Caltrans transition project since Caltrans is not planning to replace the A Street Bridge at this location with the E Street On Ramp project. Please see also Response to Comment 1-9 from Caltrans regarding the requested right-of-way.

- 81-5: The commenter states that the Draft EIR and PUD Guidelines misrepresent the bicycle/pedestrian underpass proposed as part of the project due to statements by the applicant and the City and that the City should require the applicant to clarify the status and timing of this component of the project.

The commenter is referred to Master Response 1 that addresses the timing of this component of the project. The project applicant has indicated a commitment to construct this element of the project contingent upon approval from Union Pacific and the appropriate government agencies, as noted on page 2-67 of the Draft EIR.

- 81-6: The comment states the traffic assessment needs to address impacts on the surrounding neighborhoods and the livability of the neighborhoods and indicates support for vehicle access at Alhambra Boulevard.

The Draft EIR traffic analysis includes evaluation of 32 intersections, 19 roadway segments, and 8 freeway facilities. (DEIR pp.4.9-4 through 4.9-6.) The analysis is adequate and supported by substantial evidence.

Please see Master Response 10 that addresses livability concerns in regards to traffic and Master Response 1 regarding the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard.

- 81-7: The commenter notes that increased traffic on residential streets adds an increase in noise and risk to pedestrians and indicates traffic calming measures should be given to existing residential areas affected by the project.

The increase in traffic noise has been addressed in the Draft EIR in Section 4.6, Noise and Vibration. The Draft EIR also includes an analysis of project impacts on bicyclists and pedestrians. The analysis includes consideration of children walking or biking to school. The Draft EIR concludes traffic-related impacts on pedestrians and bicyclists are less than significant without mitigation. (See DEIR, pp. 4.9-58 – 4.9-59, 4.9-61, 4.9-87, 4.9-91.) In addition, as documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming

devices in their neighborhoods. The Midtown neighborhoods have successfully completed this process in the past.

- 81-8: The commenter indicates that the perception of traffic is an important characteristic of a neighborhood. This concept is addressed in Master Response 10 that addresses neighborhood livability in regards to traffic.

The commenter also requests that the traffic analysis should include an assessment of the proportional increase in traffic on area roads. The impact of the project on transportation has been fully analyzed and documented in Section 4.9 of the Draft EIR in accordance with the requirements of CEQA. The Existing and Existing Plus Project scenarios provide an overview of the increase in traffic associated with the project.

- 81-9: The commenter notes that traffic will increase around the Cannery Business Park and reiterates support for a vehicle access at Alhambra Boulevard.

Please see Response to Comment 81-2 and Master Response 1.

- 81-10: The commenter states the Draft EIR does not address how the project complies with the 2030 General Plan guidelines and the intent of SB 375. The comment also notes that the Draft EIR needs to identify the discontinuation of bus route 34 and the impracticality of providing transit access to the project site and states his opinion that the project cannot meet City and State planning goals to reduce dependence on the automobile.

Transit services in the vicinity of the proposed project are documented on pages 4.9-15 through 4.9-16 of the Draft EIR. As stated in the Draft EIR, the closest stop to the project site is located at the intersection of E Street/Alhambra Boulevard, just over a quarter mile south of the proposed bicycle/pedestrian access point (if approved by Union Pacific and the appropriate government agencies). The proposed access points to the project site would result in relatively direct connections to existing bus stops (i.e., bicycle/pedestrian access at Alhambra Boulevard (if approved) would provide for a direct route to the nearest bus stop to project located at the Alhambra Boulevard/E Street intersection; C Street access roadway would provide for direct route to the stop located west of 40th Street/McKinley Boulevard intersection) (DEIR pp. 4.9-58 – 4.9-59). Please see also Responses to Comments 17-3, 17-6, 17-32. Please see Master Response 8 that addresses consistency with general plan policies and Response to Comment 19-2.

According to Regional Transit, Route 34 is still in service between the 8th Street/O Street light rail station in Downtown Sacramento and the California State University Sacramento Transit Center in East Sacramento. Within the study area, this route

operates primarily along McKinley Boulevard. Weekday headways are one hour, with service operating between 6:00 AM and 5:00 PM. Please see Letter 8 from Regional Transit that confirms this information.

Per the City's impact significance criteria, no significant impacts to public transit operations were identified under Existing Plus Project or Cumulative Plus Project conditions as the project provides access to transit and does not adversely affect public transit operations.

- 81-11: The commenter refers to a Caltrans project to add a transitional lane on eastbound Capital City Freeway between the UP overpass and the bridge over the American River and indicates that improvements to the existing A Street Bridge would affect this project and that this bridge is facing removal. The commenter also reiterates support for a vehicle underpass at Alhambra Boulevard.

The A Street Bridge, owned by Caltrans, has not been slated for removal and improvements to the bridge would not affect the Caltrans transitional lane project. As stated on page 2-63 of the Draft EIR, "Caltrans has indicated these improvements could be constructed within the next 7 to 10 years; therefore, the project has been designed to accommodate these improvements if constructed at a future date. The addition of a fourth eastbound lane is currently anticipated to create four 11-foot-wide travel lanes, in lieu of the existing three 12-foot wide travel lanes and would require up to an additional 8-feet of roadway to the south. Caltrans has indicated that these improvements could be accommodated within their existing ROW." Please see also Response to Comment 1-9.

- 81-12: The commenter states that the Draft EIR and PUD Guidelines misrepresent the bicycle/pedestrian underpass proposed as part of the project due to statements by the applicant and the City should require the applicant to clarify the status and timing of this component of the project.

Please see Response to Comment 81-5 and Master Response 1.

Comment Letter 82

From: Aja [REDACTED]
Sent: Thursday, January 09, 2014 3:37 PM
To: Dana Allen
Subject: McKinley Village project concerns

Hi Dana,

I have been following the Mckinley Village project developments through my neighborhood group in Marshall School/New Era. I and my husband, Jason Poole, are residents at [REDACTED] **(please do not publish our physical address or email address in any public format. Thank you)**. We are very concerned about the traffic impacts of Mckinley village, both on a noise and safety level. I would like to see a stop light put at 28th and G St to manage that level of traffic. There are accidents and near-accidents (screeching tires and shouting) at that intersection several times each week even without the additional 1800 cars.

82-1

I would also like signage and enforcement for speeding, loud music, and loitering if the traffic is increased. It is unclear to me how our parking will be impacted, but I think it goes without saying that there had better be plenty of parking built into McKinley Village, as it is already hard enough for my husband and our guests to find street parking after 7pm on weekdays.

82-2

I understand and value that I live in an urban environment. But I do not believe poor traffic management needs to be an automatic part of being urban.

82-3

Thank you for your attention to this matter.

~Aja

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Aja Uranga-Foster
 mob: +1 916 221 2429

Letter 82: Aja Uranga-Foster, January 9, 2014

82-1: The comment expresses concern regarding the traffic impacts on a noise and safety level and suggests putting in a stop light at 28th and G Streets.

The commenter does not provide specific issues regarding noise and safety concerns. Please refer to Section 4.6, Noise and Vibration and Section 4.9, Transportation and Circulation in the Draft EIR for a complete analysis of public safety and noise associated with project traffic. Please also see Master Response 4 that addresses increased traffic on 28th Street.

82-2: The comment requests signage and enforcement for speeding, loud music and loitering and also indicates that it is unclear how the project will impact parking in their neighborhood.

Roads within the project site will include signage for safe roadway speed, but will not include signage regarding loud music and loitering, consistent with all the neighborhoods in East Sacramento and Midtown. The City will enforce speeding and any complaints regarding loud music and loitering, consistent with City practice. Parking for project residents will be provided on-site and available parking in neighborhoods adjacent to the site is identified on pages 4.9-9 and 4.9-10 of the Draft EIR. Parking was not identified as a significant effect of the project.

82-3: The comment expresses an opinion that living in an urban environment does not equate to poor traffic management.

The commenter is referred to Section 4.9 of the Draft EIR that evaluates traffic associated with the project. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 83

From: Emily Wright <emily.wright@sbcglobal.net>
Sent: Thursday, January 09, 2014 3:54 PM
To: Dana Allen
Subject: "McKinley Village" development traffic concerns

Dear Planners,

As a resident of I Street, I already suffer from the effects of incomplete study of traffic effects: the Midtown traffic calming of a decade or more ago failed to predict the number of cars that would use I Street. The number estimated was about 10 % of the actual number of cars that use my street. At many hours during the day, crossing the street, even in the crosswalk and waiting carefully for traffic to clear, is unsafe. There are just too many cars. When so many cars use a street as a way through a neighborhood, as in going through Midtown to get to Downtown or the I-5 freeway, the street is no longer residential, and the drivers no longer watch for pedestrians and bicyclists, to say nothing of small children or pets. Yet we are still residents, and have a right to a residential traffic speed and watchfulness.

83-1

I am particularly concerned that the traffic from the proposed new "McKinley Village" development has not been studied as to its effect upon Midtown traffic, only upon East Sacramento traffic. There is no way that thousands of cars coming down 28th street will not add the to already onerous burden we residents of I street endure.

83-2

I urge you to insist upon accurate estimates of traffic effects and full public disclosure of the estimates long before any plan comes to the Council for a vote.

83-3

Yours,
Emily Wright
2420 I Street
Sacramento, CA 95816

Emily Wright
emily.wright@sbcglobal.net

Letter 83: Emily Wright, January 9, 2014

83-1: The comment is noting an existing traffic condition along I Street in Midtown and expressing her opinion that traffic along I Street is too heavy and unsafe for residents.

Please see Master Response 10 that addresses livability in regards to traffic. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

83-2: The commenter is expressing concern that the traffic study did not address potential impacts to Midtown associated with the project and states her opinion that there will be "thousands of cars coming down 28th, which will add to traffic on I Street."

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 41, 43), 52% of trips generated by the proposed project are projected to use the A Street access point, located at the western end of the proposed project. As documented on page 4.9-39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, approximately 1,800 trips will use the A Street access on a daily basis (52% of 3,507), and continue south into Midtown. The impact of the project on transportation has been analyzed and documented in Section 4.9 of the Draft EIR.

The Draft EIR traffic analysis fully accounts for the effect these trips will have on Midtown streets and intersections consistent with the requirements of the City of Sacramento and CEQA. Further, the commenter does not provide evidence that the Draft EIR traffic analysis did not adequately address the potential impacts of the additional traffic. Substantial evidence is necessary to understand what aspect of the analysis could be inadequate, and this was not provided. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

Please see Master Response 5 that addresses the scope of the traffic analysis.

83-3: The commenter requests the traffic impacts of the project be disclosed to the public before the project is before the City Council for a vote.

The Draft EIR prepared for the project, which includes a detailed analysis of potential traffic impacts in Section 4.9, Transportation and Circulation, is the public disclosure document required under CEQA to inform responsible and trustee agencies, the public and the City Council with an overview of the potential impacts of the proposed

project. The commenter is referred to the Draft EIR for more specific information. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

Comment Letter 84

January 9, 2014

Dina Cataldo
224 San Miguel Way
Sacramento, CA 95819

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

Dear Ms. Allen:

The McKinley Village developers have presented this project as an extension of the McKinley Park neighborhoods, but it is not designed as such. The development as designed is dense, the streets do not blend into the existing community and developers are not taking the time or spending the money to create a third access point to integrate rather than overwhelm the small streets that will receive the traffic. The developers pay lip service to integrating and paying its "fair share" to pay for intersection timing and additional street improvements on bigger streets poorly designed to hold heavy traffic and yet ignore the small streets that will be most heavily impacted by the nature of this project. **I am not opposed to this project generally, but I am opposed to this project without a third access point and fewer homes to decrease the density.** I fear that this development will attract buyers who then rent their properties to those who do not care about their property or the quality of life in the surrounding neighborhoods. Renters do not take pride in ownership like a home owner does, and I learned this only recently when I purchased my house on San Miguel Way and C Street almost 2 years ago.

84-1

The list below outlines my most pressing concerns.

- I. RE: 4.6-3 from Table ES-1 outlining the "Summary of Impacts and Mitigation Measures"

Per the DEIR, the Environmental Impact (EI) of "the proposed project could permanently increase ambient exterior noise levels in the project vicinity (off site) that exceed city standards." However, despite the fact that the noise will exceed city standards, this was deemed in the DEIR as a less than significant change from the current level of noise, which

84-2

was also deemed "less than significant." No mitigation is planned because of this determination in the DEIR, and this does not make sense considering the noise level will exceed city standards. "No mitigation" is not an appropriate response to noise level that will exceed city standards. This determination is either a mistake or disingenuous.

84-2
Cont.

In 1.5 "Scope of the Draft EIR", the writers state, "There are no impacts that remain as significant and unavoidable and which cannot be substantially lessened." However, as noted in this case, and some below, there are permanent violations of the City noise code that will occur, yet the DEIR analysts somehow deem these impacts as less than significant, so that they do not need to invent mitigation measures. This is sloppy, and it is misleading. Appropriate steps to mitigate this problem should be taken.

84-3

II. RE: 4.6-6 from Table ES-1 outlining the "Summary of Impacts and Mitigation measures"

In 4.6-6, the analysts looked at whether the EI of "the proposed project could expose on-site residential areas to vibration greater than 0.5 inch per second due to adjacent highway traffic and rail operations." The DEIR analysts also determined this EI would be less than significant both before and after mitigation. The disclosure portion is what bothers me. Although it says that disclosure statements shall be provided stating that "vibration may be periodically perceptible during train pass bys," the language should say that is "will be perceptible during train passbys. I live one block away from the trains, and I can feel the vibrations and hear the noise cause by trains. The train conductors also blow their whistles despite an ordinance that should prevent them from doing so except in emergencies. The trains will be a significant portion of a new resident's life, and they should be made aware that they "will" have their quality of life affected by these trains.

84-4

III. RE: 4.6-7 from Table ES-1 outlining the "Summary of Impacts and Mitigation Measures"

Again, the language in the EI 4.6-7 reads, "Increase in cumulative noise generated by future passenger and freight operations could expose project residents closest to the UPRR tracks to increased noise and exceed city standards." Yet the level this is considered less than significant, so no mitigation will be done. There should not only be a disclosure provided to

84-5

those who buy these properties, but mitigation measures must be taken to lessen the effect of train noise on residents inside the new development.

↑
84-5
Cont.

IV. RE: 4.7-3 from Table ES-1 outlining the “Summary of Impacts and Mitigation Measures”

In EI 4.7-3, the analysts found that “the proposed project could generate an increase in students that would exceed the design capacity of existing or planned schools that would serve the sight” as a less than significant impact. What was not considered was the very real and significant impact that an increase of traffic to these schools will bring to the surrounding neighborhoods. I live on San Miguel Way, which is a direct street to the back gate of Theodore Judah Elementary. As it is now, parents speed down my street to get their children to school on time. I cannot imagine how many more cars will speed down my street because parents are too careless to drive safely. Small children walk to school and ride their bikes to school, and these parents could care less about their safety either. Our neighborhood is not prepared to handle the kind of traffic that will spill into our small neighborhood.

↑
84-6

V. RE: 4.9-2 from Table ES-1 outlining the “Summary of Impacts and Mitigation Measures”

An Alhambra car access point is essential to making this project work. Relating back to 4.7-3, this project will cause significant impact to local transit in our neighborhood. 4.9-2 reads, “Project buildout could cause potentially significant impacts to transit.” The determination was that this was “less than significant” and therefore did not require mitigation. I disagree. Mitigation should be required before permitting this project to go forward. This project will cause significant increases to traffic in its surrounding neighborhood streets. The traffic will spill down every street the forks off of Elvas and C Streets. One way to mitigate this problem will be to allow access to Alhambra Blvd. to lessen the huge impact this project will have on the neighborhood.

↑
84-7
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It should be noted that in 4.9 – Transportation and Circulation – the Traffic Counts section indicated:

Based upon a comparison of one day traffic counts, the evaluation found an approximately 21% increase in overall traffic during the AM peak hour at study intersections in the vicinity of Theodore Judah Elementary School when school is in session. This variation is outside the realm of typical day-to-day fluctuations in traffic volume, and indicates that AM peak hour travel patterns within the area are affected by the school.

84-7
Cont.

VI. RE: 4.9-6 from Table ES-1 outlining the “Summary of Impacts and Mitigation Measures”

What is a “fair share” to monitor and retime H Street/Alhambra Blvd., H St./30th St. and H St/29th St. traffic signals as well as other improvements?

84-8

Additionally, the analysts deemed these streets to be a significant problem worthy of mitigation while the traffic spilling into neighboring streets was deemed by these same analysts as less than significant. This is simply incredulous. It does not make sense. If the developers’ analysts believe that there will be a significant impact REQUIRING mitigation for these major streets already built to carry heavy loads of traffic, why do they not see the significant impact it will have on the streets leading to and from these intersections? This is simply unbelievable and should be looked at closely because the analysts are either disingenuous or reckless in this determination. This is yet another reason an Alhambra entrance is required to make this project work.

84-9

VII. RE: Table 2-2 outlining the “Evaluation of Alternatives by Impact Area”

In 4.4-1, the “Impact” is that “the proposed project could expose people to existing contaminated soil during construction activities.” Why is it that the proposed project does not require mitigation because it is deemed a less than significant impact when any other project developed on that site would require some sort of mitigation to protect residents, construction workers, etc.?

84-10

VIII. RE: 4.1 “Air Quality and Climate Change”

In 4.1.2, fireplaces are addressed as contributors of particulate matter. Why are fireplaces being built into homes that are already in an area where pollutants are of such major

84-11

concern to the developers that filtration systems are being installed in homes? Based on some of the designs, it appears that there are fireplaces in some of the planned homes. Are these decorative or functional?

One way to reduce the impact of particulate matter is to eliminate this feature. The cumulative effect of these fireplaces and the nature of the area proposed for development make this design feature improper. This is especially true because we know that both CalTrans and UPRR expect to expand the freeway and the railroad in the near future due to continued growth in our region.



84-11
Cont.

IX. RE: 4.5-9 “The proposed project, in addition to other projects in the watershed, could result in increased numbers of residents and structures exposed...”

My concern is with who is modifying Sump 99 with an electrical upgrade? The developers should handle that if the City is not. This must be settled before development begins.



84-12

X. RE: Home Owner Association

Will the HOA take care of yard work? If this is the case, this will assuage a lot of peoples' fears that this project will turn into a bad neighborhood.



84-13

XI. RE: 4.6.4 – Residences closest to the train tracks

Right now the language in the DEIR states, “it is recommended that disclosure statements should be provided to all prospective residents in this area, as well as recorded against the land, notifying all potential homebuyers of the presence of the UPRR tracks and the accompanying elevated noise environment associated with existing and projected increased future rail activity.” Is this merely a recommendation? How do we make sure that the developers do this? This should be required.



84-14

XII. General Traffic issues

1. Be aware that the small streets cannot hold side by side two car traffic.

Throughout the DEIR, the analysts refer to the streets in the McKinley Park area [including C, 39th, 36th, Tivoli, 40th, 39th and San Miguel Way] as two car streets. [Table 4.9-4



84-15

“Roadway Capacity Utilization – Existing Conditions.] These streets are in no way designed to allow two cars to pass each other in the streets. If there is a single car parked on one side of the roadway, one car must stop and allow the other car to pass. Then factor in leaves on the sides of the streets, trash days, parking for events that occur at the local schools and you have a recipe for accidents. These streets are not designed to handle the kind of traffic this project anticipates.

↑
84-15
Cont.

2. An Alhambra Blvd. entrance ensures ease of access for law and fire departments.

In Table 2-2 “Evaluation of Alternative by Impact Area,” the DEIR analysts found a less than significant risk that the proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. However, an Alhambra entrance would ensure an entrance closer to residents on the west side of the property uninhibited by potential train passbys.

84-16

If the Alhambra entrance is TRULY unfeasible as discussed in 2-46, a 3rd access point must be found. A third access point on Lannatt can be obtained by applying for an exception to get an at grade crossing from UPRR. Has this been an option looked into? I understand the developer says that these access points are cost prohibitive, but if this development is created, it must integrate with the surrounding neighborhood not overwhelm it. **A third access point would go a long way to creating the integration that the developer says they want to create.**

3. A freeway entrance may be expensive, but it would assuage some of the problems we will have when the E Street entrance is closed.

Why is a freeway entrance inappropriate? Is it just to save the developers money? This option should be considered to mitigate the effect of traffic on the surrounding

84-17

Yes, traffic will increase, but a third entrance/exit will spread the burden and make the quality of life better for everyone should this project be approved.

XIII. RE: Construction Quality

It is my understanding that the houses in McKinley Village will cost \$70/square foot to build. This cost is far below the cost to replicate homes in the McKinley Park neighborhood. This and the increased volume of homes on the market will affect home prices. As a new homebuyer, I am concerned with my investment. I am not the only one. Most of my neighbors do not want to see this project developed. I believe that if it is developed that it should be done with the current neighbors in mind. So far, the developers have not done this.

84-18

XIV. RE: Density of the project

The number of houses per acre far exceeds that of McKinley Park and surrounding East Sacramento neighborhoods. I understand that this project will not be perfect, but again, the developer's insistence that this project is meant to be an extension of McKinley Park and East Sacramento neighborhoods is a fallacy if they cannot keep the project from burdening their neighbors rather than truly becoming a part of the neighborhood. Please hold the developers accountable and keep this area a town treasure.

84-19

Conclusion

I saw Phil Angelides presentation before the City's Planning Commission. He was charismatic and articulate. However, he is also a businessman selling a product. Please be mindful of that and call the developers on their inconsistencies and failure to create a project that will blend into the existing neighborhoods rather than overwhelm it. Thank you for your time.

84-20

Letter 84: Dina Cataldo, January 9, 2014

84-1: The commenter is expressing her opinion that generally she is not opposed to the project, but is opposed to the lack of a third access point for vehicles and the overall project density.

Please see Master Response 1 that addresses the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard. Only two access points are required per the State's Fire Code and the project is proposing only two access points. A third access is not required for the project. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

84-2: The commenter questions the findings of the noise analysis and states that noise levels exceed City standards.

As noted in the Draft EIR Standards of Significance (DEIR, p. 4.6-37), a significant noise impact is identified for the project if it would result in a *substantial* permanent increase in ambient exterior noise levels in the project vicinity that exceed the standards in the City's General Plan. Table 4.6-12 (DEIR, p. 4.6-27) indicates that the project-related increase in off-site traffic noise levels is predicted to range from 0-1 dBA relative to existing conditions without the project. Because noise level increases in the range of 0-1 dB are considered to be below the threshold of perception, the project-related increases in off-site traffic noise levels are not considered substantial. Therefore, this impact was identified as being less than significant.

84-3: The commenter asserts that noise impacts violate the City Code and mitigation should be included.

The commenter does not provide specific examples of where City noise code standards would be violated, so a specific response to these assertions cannot be provided. However, as indicated in Section 4.6 of the Draft EIR and in the Noise Study (Appendix I), the project did not exceed any of the applicable standards contained within the City's Municipal Code, specifically the Noise Ordinance. Please see Responses to Comments 31-70 and 31-99

84-4: The commenter suggests the language in the mitigation that describes train vibration should be more specific.

The Draft EIR properly discloses the fact that vibration levels associated with train pass bys would be within the perceptible range at the nearest residences (Impact 4.6-

6, p. 4.6-59). Although perceptibility is not a City or CEQA standard of significance, the UPRR recommended in their NOP comment letter that disclosure statements be provided to prospective homebuyers informing them that vibration would be periodically perceptible. The term “periodically” was included because, because vibration perceptibility would vary depending on the type of train (heavy freight versus passenger), the speed of the train, the distance to the tracks the train is travelling on, and the train route, as shown on Figure 4.6-3 in the Draft EIR.

84-5: The commenter states that mitigation should be included for the cumulative increase in noise from trains.

The commenter appears to be misinterpreting Impact statement 4.6-7 (DEIR, p. 4.6-61) which states the increase in “cumulative noise generated by future passenger and freight train operations could expose project residents closest to the UPRR tracks to increased noise and exceed City standards. Based on the analysis below, the impact is less than significant.” The analysis under the impact statement describes the analysis of combined traffic and railroad noise levels, and concludes that the cumulative contribution of both sources to the local noise environment at the nearest proposed residences would be satisfactory relative to City of Sacramento noise standards. The commenter is referred to Section 4.6 of the Draft EIR for more specific detail. Please see also Responses to Comments 31-55 and 31-70.

84-6: The commenter is expressing her observations that cars speed down her street on their way to Theodore Judah School and is concerned the increase in traffic will affect the safety of her neighborhood.

The traffic analysis took traffic counts on local roadways when school was in session as well as when school was not in session to compare the existing level of traffic related to schools (DEIR, p. 4.9-23). Based upon a comparison of one day of traffic counts, the traffic study found an approximately 21% increase in overall traffic during the AM peak hour at study intersections in the vicinity of Theodore Judah Elementary School when school is in session. The travel model assumed this increase in trips on local roadways, including San Miguel Way. As shown in Table 4.9-11 (DEIR, p. 4.9-55), all study intersections in the vicinity of Theodore Judah Elementary school would continue to operate at LOS B or better. Please see also Master Response 10 that addresses livability concerns in regards to traffic as well as Master Response 3 regarding traffic counts conducted for the project.

84-7: The commenter states that having a vehicle access at Alhambra Boulevard is essential to the project and does not agree that the project would not impact transit and mitigation should be required.

A third vehicular access to the project site is not required to mitigate project-related traffic impacts to less than significant. As discussed in the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours under the Existing Plus Project scenario. (DEIR, p. 4.9-51.) No additional access is required.

Regarding the commenter's concern that the project should include mitigation to address transit, please see Responses to Comments 31-143 and 31-167.

The commenter's assertions are based solely upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).) In addition, for impacts that are less than significant no additional analysis or mitigation is required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

Please see Response to Comment 84-6 and Master Response 1 that address the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard.

84-8: The commenter questions what a "fair share" toward a mitigation measure is.

For mitigation measures related to cumulative impacts, documented on pages 4.9-89 through page 4.9-92 in Section 4.9 of the Draft EIR, the project applicant would be required to pay a fair share toward the identified mitigation, which is calculated based upon the project's share of additional traffic growth at these locations between Existing conditions and Cumulative Plus Project conditions.

84-9: The commenter questions why the Draft EIR found significant impacts to major streets that carry high traffic volumes, and not to neighborhood streets that connect to these major roadways. The commenter goes on to express support for a project access located at the northern terminus of Alhambra Boulevard.

The Draft EIR traffic analysis fully accounts for the effect that project trips will have upon streets and intersections consistent with the requirements of the City of Sacramento and CEQA. Further, the commenter does not provide evidence that the Draft EIR traffic analysis did not adequately address the potential impacts of the additional traffic on "neighborhood streets." Substantial evidence is necessary to understand what aspect of the analysis could be inadequate, and this was not

provided. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

Please refer to Master Response 1 for a response to the portion of the comment pertaining to a project access located at the northern terminus of Alhambra Boulevard.

- 84-10: The commenter is asking why mitigation is not required for the potential presence of contaminated soils under Impact 4.4-1.

Impact 4.4-1 on page 4.4-36 of the Draft EIR, states that the project could expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities. However, as described in the analysis below the impact statement, the Phase I Environmental Site Assessment prepared for the project did not identify the presence of soils that contain contaminants from past uses that would be considered hazardous to residents or construction workers. Therefore, the impact was determined to be less than significant. The project applicant has agreed to implement Mitigation Measure 4.4-1 that requires in the event that grading or project construction reveals evidence of soil contamination a Construction Management Plan shall be prepared that identifies specific measures to protect worker and public health and safety during construction. (DEIR, p. 4.4-37.)

- 84-11: The commenter questions why the project includes fireplaces when air pollutants and air quality are a concern for the area.

The project does not include any wood burning fireplaces which create the greatest amount of air pollutants and particulate matter. As stated on page 2-10 in Chapter 2, Project Description, approximately 50% of the residences are anticipated to include natural gas fireplaces and no wood burning fireplaces would be allowed. Natural gas fireplaces are very clean burning and only contribute a very small amount of operational emissions. Operational air quality impacts were determined to be less than significant. (DEIR, pp. 4.1-42, 4.1-43.)

- 84-12: The comment is requesting that the developers should handle the electrical upgrade to Sump 99.

As indicated in the Draft EIR in Chapter 2, Project Description, the project will either do the required upgrades to Sump 99 or provide the funds to the City to do the upgrades.

84-13: The commenter is asking if the Homeowners Association (HOA) will take care of yard work.

The HOA for the project is proposed to maintain all landscaping within the buffer/easement areas as well as the yard areas, such as front yards, that are visible from the public streets. Please see Response to Comment 18-155.

84-14: The commenter is asking if Mitigation Measure 4.6-4(f) is a recommendation or a requirement for residences closest to the UPRR railroad tracks.

Mitigation Measure 4.6-4(f) is required for the residences constructed on the first row of lots adjacent to the UPRR tracks to achieve interior SEL values of 65 dB SEL or less in bedrooms during train pass bys. The mitigation states that disclosure statements “shall be provided to all prospective residences, as well as recorded against the land, notifying of the presence of the UPRR tracks and the accompanying elevated noise environment associated with existing and projected increased future rail activity.”(DEIR, p. 4.6-51.)

84-15: The commenter states that “small streets cannot hold side by side two car traffic” and that the Draft EIR refers to streets in the McKinley Park area as “two car streets.”

Section 4.9 of the Draft EIR correctly identifies local streets in the vicinity of McKinley Park as having two travel lanes, one in either direction, and correctly classifies these roadways with the proper functional classification as identified in the City of Sacramento 2030 General Plan. The roadway segment daily volume thresholds shown in Table 4.9-2 of the Draft EIR account for the design characteristics of local roadways, including width, and therefore have lower daily volume thresholds for local roadways.

84-16: The commenter states that a third vehicle access must be provided if Alhambra Boulevard is not feasible.

A third vehicular access to the project site is not required to mitigate project-related traffic impacts to less than significant. As discussed in the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours in the existing plus project scenario. (DEIR, p. 4.9-51.) No additional access is required.

Commenter’s assertions are based solely upon speculation and are not supported by substantial evidence. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument,

speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).) In addition, for impacts that are less than significant no additional analysis or mitigation is required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

Please see also Master Response 1 that addresses the infeasibility of a bridge/roadway underpass at Alhambra Boulevard.

- 84-17: The commenter states that a new entrance to the Capital City Freeway (Business 80) “would assuage some of the problems we will have when the E Street entrance is closed,” and goes on to inquire why a freeway entrance is inappropriate.

Caltrans has indicated that the purpose of extending the transition lane on Capital City Freeway (DEIR, p. 2-63) from the UPRR overcrossing to the bridge over the American River is to relieve congestion. A freeway onramp from Alhambra Boulevard or the project site would add significant traffic to the section of freeway which [Caltrans] is trying to relieve. It would negate most of the benefits of extending the transition lane. (email from N. Castro, 12/24/13.)

The commenter is presumably referring to the planned Sutter’s Landing Parkway project, which is included in the City’s 2030 General Plan. As documented on page 4.9-63 of the Draft EIR, the cumulative analyses account for the planned Sutter’s Landing Parkway project. Please refer to pages 4.9-73 through 4.9-92 for the analyses pertaining to the Cumulative Plus Project scenario, which accounts for the cumulative effects of Sutter’s Landing Parkway and the proposed project, in addition to other planned infrastructure projects and land development projects in the area.

As depicted in the City of Sacramento 2030 General Plan, this roadway would not extend beyond the Capital City Freeway (Business 80), and would not connect through the site of the proposed project. This is a planned future project unrelated to the development of McKinley Village.

- 84-18: The comment states a belief that the cost to construct project residences would be \$70 per square foot and the commenter feels this is below the cost to construct homes in the McKinley Park neighborhood and is afraid property values will be affected.

CEQA does not require the lead agency to analyze the construction costs of a project or how a residential project may economically affect the property values of a surrounding neighborhood. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 84-19: The comment states that the density of the project “far exceeds that of McKinley Park and East Sacramento neighborhoods.”

The project is proposing a density of 11.2 dwelling units per acre (du/ac), which is higher than the 7 du/ac average density in the nearby McKinley Park neighborhood (see Chapter 2 of this Final EIR for revisions to the project since release of the Draft EIR). The increase in density enables the project to develop a broader mix of unit types and creates a neighborhood that is more compact. (DEIR, p. 3-29.) The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 84-20: The comment is expressing her desire that the City ensure the project be designed to blend into the existing neighborhood and not “overwhelm it”.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 85

From: Deniz Tuncer <deniztuncer@sbcglobal.net>
Sent: Thursday, January 09, 2014 5:11 PM
To: Dana Allen
Subject: McKinley Village

Hello,
I wanted to write to share that I am very concerned about the traffic impacts to Midtown regarding the proposed McKinley Village project. As far as I have heard, there has not been an adequate traffic study. My understanding is that there could be an additional 1800 cars on our streets, and many would make their way through Midtown. These are quite, neighborhood streets, for the most part, and this level of added traffic could have a significant negative impact to our neighborhood.

|
85-1
|

Deniz Tuncer
2320 D Street
Sacramento, CA 95816

Letter 85: Deniz Tuncer, January 9, 2014

85-1: The commenter states that the project will generate an estimated 1,800 additional trips on the streets within Midtown, and that there has not been an adequate study of the traffic impacts.

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 41, 43), 52% of trips generated by the proposed project are projected to use the A Street access point, located at the western end of the proposed project. As documented on page 4.9-39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, approximately 1,800 trips will use the A Street access on a daily basis (52% of 3,507), and continue south into Midtown. The commenter is correct that the project will generate approximately 1,800 additional trips within the Midtown neighborhood. The impact of the project on transportation has been analyzed and documented in Section 4.9 of the Draft EIR.

The Draft EIR traffic analysis fully accounts for the effect these trips will have on Midtown streets and intersections consistent with the requirements of the City of Sacramento. Further, the commenter does not provide evidence that the Draft EIR traffic analysis did not adequately address the potential impacts of the additional traffic. Substantial evidence is necessary to understand what aspect of the analysis could be inadequate, and this was not provided. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

Comment Letter 86

From: tsimpson7@aol.com
Sent: Thursday, January 09, 2014 5:19 PM
To: Dana Allen; Steve Cohn
Subject: MKinley Village, Sutter's Landing Park and the surrounding areas

Ms. Allen,

I am writing in regards to the McKinley Village development and the impact that it will have on the surround areas. I have lived in midtown for the past 15 years. I am raising two boys here and have a vested interest in seeing our city developed with care and planning.

I have been following this project for some time, attended meetings and done some research. I am not sure that all of the questions that were posed (traffic patterns, affects on wildlife in the Sutter's Landing area, impacts on pedestrian access to the river, etc.) have been answered fully. In fact, I feel that there are many unanswered questions and possible impacts that have yet to be addressed.

86-1

From all accounts, it does not seem feasible to have the density that is planned for that area result in well flowing traffic patterns in the adjacent streets. I think the city is doing more harm than good with this project. I am not at all opposed to infill projects, and development where it is appropriate. This landlocked site with very fragile and incredibly important habitat adjacent to it, along with it's restricted points of access is not a good fit for McKinley Village.

86-2

I would urge the city to reconsider and attempt to modify the current project or find a project more suited to the area. Poor planning now will result in poor traffic patterns, pedestrian travel discouraged and wildlife impacted for our lifespans and those of our children. This does not seem like a good recipe for success to me.

86-3

I once spoke with Mayor Kevin Johnson on the phone during a radio show. I asked him about his commitment to the environment and "greening" Sacramento. We have such a unique and amazing gift in our rivers and the open wildlife areas that still exist. He assured me that his commitment to a green Sacramento was solid and he would do everything he could to further our path in that direction. This seems a major step backward, in my opinion.

86-4

Thank you very much for you consideration,

Tiffanie Simpson

Friends of Grant Park
Friends of the River Banks
Friends of Sutter's Landing
Chair, Alice Birney Waldorf Inspired K-8 Parent Guild
Sacramento Parenting Partnership

Letter 86: Tiffanie Simpson, January 9, 2014

86-1: The commenter expresses her opinion that not all concerns associated with traffic patterns, effects on wildlife in Sutter's Landing Park, and pedestrian access to the river have been adequately addressed.

The commenter is referred to Letter 13, Friends of the River Banks and Letter 23, Friends of Sutter's Landing Park for issues related to effects of the project on existing wildlife and Section 4.9 of the Draft EIR that addresses traffic impacts associated with the project. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

86-2: The commenter is expressing her opinion that the project site is not appropriate for this type of development.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

86-3: The comment urges the City to reconsider and modify the project or find a more suitable location.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

86-4: The commenter recounts a conversation with Mayor Johnson about "greening" Sacramento and the Mayor's commitment to a green Sacramento and states her opinion that this a "major step backward."

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 87

From: michael murphy <michaelmmurphy4@gmail.com>
Sent: Thursday, January 09, 2014 5:39 PM
To: Dana Allen
Subject: McKinley Village - Draft EIR comments

Dear Ms. Allen:

I would like to point out than when scientific documents make faulty assumptions then all of the resulting data and results will be false. The Draft Environmental Impact Report ("DEIR") assumes that there will be only 2 people per home ("PPH"), yet the California Department of Finance projects there will likely be 2.66 people per home. This assumption includes condos, apartments, and more dense housing, unlike the large single family homes in McKinley Village. This inaccuracy will not only create false data for this project but for future projects as well. This PPH is not consistent with another nearby project. Specifically, the other East Sacramento project, The Sutter Park project, is using 2.54 PPH to evaluate its impacts on the community. Why is McKinley Village using a considerably lower number?

87-1

Also, residents were very disappointed with the way the traffic study was presented. We feel that it was confusing, didn't study or report all of the impacts on the Midtown side, and wasn't presented in a way that the average lay person could understand.

87-2

On page 4.9-59, the first line below Railroad Crossings it states that there will be a "net increase of about 1,800 daily trips to the at-grade railroad crossing per day". Please compare this to Table 4.9-51. On 28th Street, between C Street and E Street, you have an increase 1122 cars. On C Street, west of 28th Street, you have an increase of 198 cars. This gives a total increase of 1320 cars. What is the correct number of cars using the A Street access for McKinley Village?

87-3

Figure 4.9-13 also shows to figures 1800 (3600) cars from A Street. Does that mean we can expect 1800 cars or 3600 cars? Please account for the discrepancies. The numbers are off by 480 cars per day, unless you assume that 480 cars are going to Sutter's Landing Park. An addition of 28 cars would be enough of an increase to be considered a significant impact on 28th street between C Street and E Street which is considered a local street, as the projected traffic numbers are 4,972 cars per day. This would create an F level of service for this street. This is contrary to Policy M 4.3.1 which states: "The city shall continue wherever possible to design streets and improve development applications in such a manner as to reduce high traffic flows and parking problems within a residential neighborhood." The traffic generated by McKinley Village is not consistent with this policy. How will this issue be addressed?

87-4

87-5

Please look at pedestrian and bicycle safety from C Street to A Street on 28th Street. There is not a proper sidewalk or bicycle lanes to accommodate cyclists or pedestrians. Also, Stanford Park isn't ADA compliant. The sidewalks aren't wide enough for wheelchairs. We ask that some of the money the developer fees will be used to make proper upgrades. We will have an additional 1,800 car trips generated per day across the railroad tracks at 28th Street. (Policy M 5.1.4 "The proposed project shall not result in conflicts between bicyclists and motor vehicles on streets, and pedestrians on multi-use trails and sidewalks. 4.9-37)" How will the McKinley Village developer address this issue?

87-6

Please also consider the following:

- 1. Sutter's Landing Park currently has only one traffic sign that states "Slow to 25 mph for speed bumps." Adding 1,800 cars, without a reasonable posted speed limit, isn't safe for pedestrians, bicyclists, and current users of 28th Street. 87-7
 - 2. 28th Street, going over the train tracks, which is about a 12% grade has a poor sight line, that isn't safe for bicyclists or pedestrians. The project applicant and the City of Sacramento didn't address in a way that the lay person can understand how this issue would be addressed. With this poor sight line, the project applicant should widen 28th Street enough to create separate bike lanes and pedestrian access. 87-8
 - 3. With the additional traffic, B Street, between 28th and 29th Streets, needs ADA compliant sidewalks that comply with the court order that the City of Sacramento is currently under. If this area is to become a residential development then amenities such as sidewalks needs to put in place. 87-9
 - 4. Stanford Park has sidewalks that are only 3 feet in width. With the additional 1800 car trips and increase user- ship of the park, the City of Sacramento and the applicant needs to make these sidewalks ADA compliant. 87-10
 - 5. Sutter's Landing Park doesn't have sidewalks. Sutter's Landing Park will suffer due to the increase user-ship of the park and the additional 1800 cars per day, Sutter's Landing Park needs sidewalks for maintain pedestrian and bicycle safety. If the City of Sacramento is going to make this a residential area, then the appropriate amenities need to be constructed and paid for by the developer, not with city tax dollars. 87-11
 - 6. Between the Sutter's Landing Park monument sign and the methane recycling center, there is a poor sight line for cars, pedestrians, and bicyclists currently using 28th Street if the applicant uses A Street for traffic coming out of McKinley Village. This potential hazard needs to be addressed. 87-12
 - 7. The City of Sacramento and the applicant failed to notify residents, when the DEIR came out, that A Street and 40th Street would be changed from a "local street" to "minor collector" streets. We request that before a FEIR is finished that the City of Sacramento notifies all interested parties and give them the opportunity to respond to these changes. 87-13
- On top of the inadequacies presented above, we believe that residents have presented two options that will preserve our quality of life and preserve livability in our neighborhood. Our ideal solution would be to put a half-street closure at 28th Street and B Street. This would be the best solution for residents on the Midtown side of the project. If the City of Sacramento couldn't do that then I would support a half-street closure at 28th and C Street, with enough traffic calming measures to protect C Street. Whatever improvements are undertaken should be paid for by the developer. 87-14
- I would also ask that you consider putting in speed tables by Stanford Park to slow additional traffic generated by this project. Also, a speed table between the at-grade train crossing and the entrance to the project on A Street will aid in slowing traffic. This will increase safety by slowing traffic for bicyclists and pedestrians. 87-15
- At 4.9-40 "The number of project trips on east-west local streets between C Street and I Street is somewhat limited due, in part, to the previously discussed half-street closures in place on the 87-16

roadways, with the exception of C Street, which doesn't have a half street closure." There isn't a half-street closure on I Street. Was this figured into the EIR? Why wasn't it mentioned?

↑
87-16
Cont.

Figure 4.6.4 shows that a portion of the project land belongs to Sutter's Landing Park (See Sutter's Landing Area Master Plan Background Report dated 10/1/08, pg.19). What community benefits is the developer going to give to Sutter's Landing Park for taking that land plus the extension of A Street? Is the developer going to try to consider this land part of the park land so that he won't have to pay park fees? Why wasn't this discussed in the EIR?

↑
87-17

Also, there was not traffic study on F Street, G Street, or I Street. They don't have street closures blocking traffic on 28th Street (4.9.4). We feel that your analysis is incomplete on these streets.

↑
87-18

What will the impacts be on the E Street on ramp and off ramp? Will this intersection reach an F level of service? Please continue to provide me with updates on this project. I look forward to seeing this issues addressed. Thank you.

↑
87-19

Michael Murphy

Letter 87: Michael Murphy, January 9, 2014

87-1: The commenter disagrees with the persons per household assumption provided in the Draft EIR to determine the potential increase in population for planning purposes.

Please see Master Response 6 that addresses this issue.

87-2: The commenter expresses his opinion that the traffic study that was done for the project was confusing, did not study impacts on Midtown streets, and was not presented in a fashion the lay person could understand.

Please refer to Master Response 5 regarding additional study areas within Midtown and East Sacramento. The comment is acknowledged, and has been considered. The City disagrees and believes the Draft EIR adequately addressed physical effects on the environment and explained the environmental review process in a meaningful and understandable manner.

87-3: The commenter correctly states that the project will generate an estimated 1,800 daily trips at the western access to the project site located on A Street, east of 28th Street.

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 41, 43), 52% of trips generated by the proposed project are projected to use this access point. As documented on page 4.9-39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, it is estimated approximately 1,800 trips will use the A Street access on a daily basis (52% of 3,507).

The commenter goes on to state that the estimate of 1,800 daily trips is inconsistent with Table 4.9-51. The Draft EIR does not contain Table 4.9-51, however the commenter is presumably referring to the roadway segment capacity utilization data contained in Table 4.9-9 on page 4.9-51. Table 4.9-9 includes estimates of daily vehicle traffic on the segments of C Street west of 28th Street and 28th Street south of C Street under Existing and Existing Plus Project conditions. This data reveals an increase of 1,122 daily trips on 28th Street south of C Street and an increase of 158 trips on C Street west of 28th Street. The commenter states that because these two values do not total 1,800 that there is a discrepancy in the Draft EIR. However, the commenter neglects to consider the fact that project-generated trips will also use the segments of B Street east of 28th Street and C Street east of 28th Street, and that summing the total daily trips on the west and south approaches of the C Street/28th Street intersection is an incomplete accounting of project-generated traffic that will use the A Street access point. Therefore, the data contained in Table 4.9-9 is consistent with the analysis contained in other parts of the Draft EIR.

87-4: The commenter correctly states that Figure 4.9-13 on page 4.9-99 of the Draft EIR provides forecasts for A Street (1,800 daily trips and 3,600 daily trips), which would serve as the western access to the proposed project. The commenter goes on to question which number is correct.

As stated in the legend to Figure 4.9-13, the unbracketed daily traffic volume (1,800) represents Existing Plus Project conditions, and the bracketed volume (3,600) represents Cumulative Plus Project conditions. As documented on page 4.9-63 of the Draft EIR, the cumulative (year 2035) traffic volumes account for planned transportation improvements in the vicinity of the proposed project. These improvements include the construction of Sutter’s Landing Parkway, a planned east-west roadway extending between Richards Boulevard and 28th Street, and a new interchange between Sutter’s Landing Parkway and the Capital City Freeway (both located to the west of the proposed project site).

The construction of these two major pieces of transportation infrastructure would result in changes to travel patterns within the area, including cut-through traffic within the proposed project site traveling between Sutter’s Landing Parkway and East Sacramento. This cut-through traffic accounts for the additional 1,800 trips relative to Existing Plus Project conditions.

87-5: The commenter states that 28 or more additional daily trips on 28th Street between C Street and E Street (beyond the projected 4,972 daily trips under Existing Plus Project conditions) would result in level of service (LOS) F for this roadway, which would conflict with 2030 General Plan Policy M 4.3.1 which states that “[t]he City shall continue wherever possible to design streets and improve development applications in such a manner to reduce high traffic flows and parking problems within a residential neighborhood.”

The commenter’s interpretation of the LOS results is correct. Under cumulative conditions, with or without the proposed project, the segment of 28th Street between C Street and E Street is projected to operate at LOS F on a daily basis due to forecasted growth in traffic volumes (DEIR, p. 4.9-74). However, General Plan Policy M 4.3.1 does not include LOS thresholds. The City’s LOS policy is contained in General Plan Policy M 1.2.2, which incorporates a “Core Area Level of Service Exemption” that allows for LOS F conditions within the area that encompasses the segment of 28th Street between C Street and E Street. Implementation of the proposed project does not result in significant impacts to any study facilities located on 28th Street under Existing Plus Project or Cumulative Plus Project conditions.

87-6: The commenter requests an examination of bicycle and pedestrian safety on the segment of 28th Street between C Street and A Street due to the fact that the project will add trips to this facility that currently lacks bicycle and pedestrian facilities.

The project will include a condition requiring the project applicant to stripe bike lanes on 28th Street from C Street to B Street and improve 28th Street from B Street to A Street to provide bike lanes, curbs and a sidewalk. The 28th Street/UPRR crossing will include improvements to the existing railroad crossing for bicycle/pedestrian facilities.

87-7: The commenter expresses an opinion that the portion of 28th Street that accesses Sutter's Landing Park lacks "a reasonable posted speed limit" and "isn't safe for "pedestrians, bicyclists, and current users."

The City of Sacramento posts speed limits according to traffic engineering standards specified in the California Vehicle Code. The commenter did not provide substantial evidence that the current posted speed limits do not comply with these standards. Similarly, no evidence is provided to demonstrate a safety problem. Substantial evidence is necessary to understand what aspect of the analysis could be inadequate and this was not provided. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).) Please see Master Response 4 that addresses issues associated with 28th Street.

87-8: The commenter expresses concern regarding the grade of 28th Street at the railroad crossing and states the project applicant should widen 28th Street to create separate bicycle and pedestrian facilities.

Please see Response to Comment 87-6. Please see also Master Response 9 that addresses issues associated with the 28th Street at-grade crossing.

87-9: The commenter is requesting that the stretch of B Street between 28th and 29th streets needs ADA compliant sidewalks.

The commenter's request identifies an existing condition that is outside of the scope of the analysis of this EIR and does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 87-10: The commenter states that Stanford Park has sidewalks that are only 3 feet wide and they need to be ADA compliant as part of this project.

The commenter's request identifies an existing condition that is outside of the scope of the analysis of this EIR and does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 87-11: The commenter states that Sutter's Landing Park does not have sidewalks and with the addition of project traffic the City needs to ensure bicycle and pedestrian safety in this area.

The project will provide bike lanes and a sidewalk on 28th Street from B Street to A Street (portion within Sutter's Landing Park). A Street will be constructed as a minor collector street section (bike lanes no parking) west of the A Street Bridge to 28th Street (portion within Sutter's Landing Park and will transition on both approaches (east and west) to the A Street Bridge to meet American Association of State Highway and Transportation Officials (AASHTO) standards with the final design subject to review by Caltrans. The construction of A Street shall be per City standards and to the satisfaction of the Department of Public Works.

The commenter's request identifies an existing condition that is outside of the scope of the analysis of this EIR and does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 87-12: The commenter expresses concern regarding poor sight lines at the 28th Street/A Street intersection, which would serve as an access point to the proposed project.

Prior to the construction of any access point to a public roadway, the City of Sacramento reviews the design plans to ensure that all applicable standards are met, including the sight distance provisions contained in the *California Manual on Uniform Traffic Control Devices*. The design of the proposed 28th Street/A Street intersection would be required to meet these standards.

- 87-13: The commenter states that the City failed to notify residents that A Street and 40th Street would be classified as "minor collector" streets instead of "local streets."

Presumably the commenter is referring to the proposed extensions of A Street and 40th Street to provide access to the project site as part of the proposed project, located east of 28th Street and north of C Street, respectively. This comment relates to issues that

are relevant to the planning process for the project, and not the environmental document; please refer to the staff report. No further response is required.

- 87-14: The commenter expresses support for installation of a half-street closure on 28th Street at B Street or C Street.

Please refer to Master Response 4 (28th Street Half-Street Closure) for a response to this comment.

- 87-15: The commenter expresses support for the installation of speed tables adjacent to Stanford Park and on 28th Street between the proposed A Street access and the at-grade railroad crossing to slow project-generated traffic.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. The Draft EIR did not identify any impacts to transportation facilities located on 28th Street. Further, there is no evidence to suggest that project traffic will increase travel speeds on 28th Street warranting traffic calming devices.

As documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices. The Midtown neighborhood, which encompasses 28th Street, has completed this process in the past (DEIR, Figure 4.9-3 documents existing traffic calming devices in the neighborhood). Additional traffic calming devices in Midtown would be evaluated through the NTMP process after the identification of new issues related to safety, traffic speed, etc.

- 87-16: The commenter states that I Street does not have a half-street closure in place, and asks if this was factored into the EIR.

The commenter is correct that I Street does not have a half-street closure in place. Figure 4.9-3 in the Draft EIR documents existing traffic calming devices in the neighborhood, and does not show a half-street closure on I Street. The Draft EIR analysis accurately identified and evaluated this condition.

- 87-17: The commenter states that a portion of the project belongs to Sutter's Landing Park and requests what community benefits the project applicant is going to give to the park for taking this land. The commenter asks if the project developer is trying to not pay park fees for this land.

The commenter is referring to an incorrect Figure (Exhibit 4 – Sutter's Landing Area Ownership Map) from the 2008 Sutter's Landing Background Report that indicates that

Sutter’s Landing Park includes a parcel of land located adjacent to the southwestern boundary of the project site on land proposed for future detention facilities. According to the City, the 2003 Sutter’s Landing Park Master Plan did not include the referenced parcels (APNs: 003-0061-011 and 001-0170-013 -1.15 + 1.44 acres); the City Council presentation of the Sutter’s Land Regional Park on March 7, 2006, does not show this parcel as included within Sutter’s Landing Park, and all of the other figures included with the 2008 Background Report do not show these parcels of land within the park. This exhibit is an error and these parcels of land, while owned by the City of Sacramento – are not part of Sutter’s Landing Park. See also Response to Comment 23-16.

The project applicant will pay all the required in-lieu park fees. See Responses to Comments 14-5 and 23-9.

87-18: The commenter states that the traffic study did not analyze facilities on F Street, G Street, or I Street.

Please refer to Master Response 5 (Request for Additional Traffic Study Locations in Midtown and East Sacramento) for a response to this comment, which explains why study facilities on F Street and G Street were not included in the Draft EIR. The commenter is incorrect that the study did not evaluate traffic on I Street. The study area was expanded during the NOP comment period to include the I Street/28th Street intersection in response to comments received.

As shown in Table 4.9-10, delay at the I Street/28th Street intersection would remain unchanged during both the AM and PM peak hours with the addition of project traffic under the Existing Plus Project scenario, and the intersection would continue to operate at LOS A during both peak hours (DEIR, p. 4.9-53)

Under Cumulative Plus Project conditions, delay at the I Street/28th Street intersection would remain unchanged during the AM peak hour and would increase by one second during the PM peak hour with the addition of project traffic (DEIR, p. 4.9-77). Under cumulative conditions, the intersection would operate at LOS B during both the AM and PM peak hours, with or without the proposed project.

87-19: The commenter questions whether implementation of the proposed project would result in impacts to the E Street ramp terminal intersections, and if these locations will reach LOS F.

As shown in Table 4.9-10 on page 4.9-52 of the Draft EIR, the project would increase delay at the E Street/29th Street/southbound Capital City Freeway off-ramp and E Street/30th Street/northbound Capital City Freeway on-ramp intersections under Existing Plus Project conditions (DEIR, p. 4.9-53). With the addition of project traffic,

the E Street/29th Street/southbound Capital City Freeway off-ramp intersection would operate at LOS E during the AM peak hour and LOS C during the PM peak hour. With the addition of project traffic, the E Street/30th Street/northbound Capital City Freeway on-ramp intersection would operate at LOS D during the AM peak hour and LOS C during the PM peak hour. No significant impacts to either of these intersections were identified under Existing Plus Project conditions, per the City's impact significance criteria.

As shown in Table 4.9-20, the project would increase delay at the E Street/29th Street/southbound Capital City Freeway off-ramp and E Street/30th Street/northbound Capital City Freeway on-ramp intersections under Cumulative Plus Project conditions (DEIR, p. 4.9-77). With the addition of project traffic, the E Street/29th Street/southbound Capital City Freeway off-ramp intersection would operate at LOS D during the AM peak hour and LOS F during the PM peak hour. With the addition of project traffic, the E Street/30th Street/northbound Capital City Freeway on-ramp intersection would operate at LOS F during both the AM and PM peak hours (similar to cumulative conditions without the proposed project). No significant impacts to either of these intersections were identified under Cumulative Plus Project conditions, per the City's impact significance criteria.

The E Street On-Ramp Closure project is a Caltrans project; additional information on this project may be obtained from the Caltrans website.

Comment Letter 88

January 9, 2014

City of Sacramento
Community Development Department
Dana Allen, Associate Planner
300 Richards Blvd., 3rd Floor
Sacramento, California 95811
dallen@cityofsacramento.org

Dear Dana,

I am submitting my response to the DEIR for the McKinley Village project.

I am endorsing and supporting the East Sacramento Preservation’s response to the DEIR. I agree with all points that they addressed in their 22 page response.

88-1

As indicated in their response on page 1 “it is quite clear that the planning process is inherently flawed and broken with regard to citizen involvement in the ability to shape the future direction of our city...The hard copy that I have appears to be well over 1,000 pages long. The appendices check in at another 4,000-plus pages. On top of that a reviewer will have to read hundreds of pages of the General Plan to put this project in context. To expect that residents, between their work, family and personal lives, will realistically have the time to read and comment on the volumes of data, assumptions, figures, tables, etc. that supposedly construct an argument that the proposed project will have no significant impacts on the environment is, frankly, ludicrous.”

88-2

I honestly don’t know how the City of Sacramento expects any resident to review over 1,000 pages. I went through some pages but in all honesty could not possibly read all of this unless I wanted to make this my full time job until I finished reading everything.

I am still totally against this project for many reasons. The DEIR did not give me any comfort in addressing my concerns and so I want to point out my original concerns and new concerns:

- Additional Traffic that will impact the East Sac and Mid Town community. The DEIR does not address the many additional drives the new residents of McKinley Village will do to get to schools, grocery stores, restaurants, shopping, post office stops, visiting friends/family, visiting parks, driving to/from work etc.... There are no services for the McKinley Village residents besides accessing the services through East Sac and Mid Town. This is too much of a burden for our community.
- The Train situation is still a HUGE concern for me. The A Street location will have cars at a standard gate crossing at the tracks vs. the 40th St/Tivoli location will have an underpass. I am highly concerned still that this will put undue burden of cars going through the 40th St/Tivoli underpass location and then more traffic into the East Sac community. I lived in a suburb in Seattle where we had standard tracks crossing at the bottom of our house. The only way to get to I5 was crossing the standard tracks. There was always a ton of traffic because of the congestion of the track crossing. If there was an alternative to go under the train tracks, I would ABSOLUTELY have done that. I would never do the train tracks option. I believe most of the residents in McKinley Village would also choose the smart route of going through the 40th St/Tivoli underpass option instead of the A Street train tracks route. This will add even more trips through the East Sac community putting more of burden on our streets.
- There are no true public transportation options for the McKinley Village residents. Expecting that someone will walk over .6 miles to get to a bus stop when the bus does not run very frequently is just goofy. That bus line only runs every hour and stops at 5pm and does not run on the weekends or holidays. It makes this bus line useless. There have been many times where we wanted my husband’s mom to take a bus to our house from South Land Park (because she doesn’t drive) but she can’t because the bus #34 near our house (at Santa Ynez Way and McKinley Blvd) does not run that often. On top of this, a person who has physical limitations including the disabled and the elderly would not be able to walk that far. I have a muscular dystrophy and can walk short distances using braces for me feet. I can get to the bus stop at Santa Ynez Way and McKinley Blvd but I would not be able to get to J Street. I have to drive because of the distance everything is for me. I highly doubt people who are residents in the McKinley Village project will walk from their neighborhood to East Sac to pick up the bus. There really needs to be more public transit options in their neighborhood.

88-3

88-4

88-5

- There will be more congestion (not less) on Business 80 heading towards Cal Expo due to the increase in additional residents from McKinley Village. It is already a huge problem and the Dept of Transportation is trying to find ways to address this congestion including closing the E Street on ramp (WHICH IS LUDICRIS). Adding more cars onto the freeway with these new residents will not decrease traffic.
- If the Dept of Transportation is even considering closing the E Street on ramp, it will force a major congestion on surface streets in East Sac and Mid Town. I think this will be a HUGE BURDEN on the current residents. Then add on more residents from McKinley Village that will have to go through more of the East Sac and Mid Town streets to get to a further distance on ramp will make this absolutely ridiculous.
- The parking situation in certain neighborhoods has not been addressed at all. For example the parking situation is already bad at Orphan's and will only get even worse with additional residents from McKinley Village. People park off street to eat at Orphan's (since there is only a tiny amount of parking for patrons). People have to park on 35th St, C Street, D Street. I use to live on D Street. We used to have parking permits on that street but it got removed 1 1/2 years ago. It was a mistake because now the parking has gotten so bad. My neighbor had her driveway blocked in because of people eating at Orphan's. If you have more residents who have no services in their neighborhood, where will they go to eat...In our neighborhood.
- I still think there are way too many single family homes being considered for this project and the type of homes are so limiting to so many demographics. I am a disabled 37 year old female. I have challenges walking due to my muscular dystrophy and have a very hard time with stairs. I specifically bought my home on Santa Ynez Way because it is a one story home (plus all the wonderful old world charm that makes this neighborhood a dream to live in). So many developers these days are only building two story homes. It is even more frustrating when you have investors buying up homes in our neighborhood that are a one story home so they can demolish it to put up a two story big home. This strategy will push out all people who need or want a one story home. The builders of this project are proposing only 2 story homes which eliminates so many people who need 1 story homes...including elderly, disabled, etc...
- The developers say they are trying to make these homes to the style of the East Sac area. This is farthest from the truth. Are they putting in REAL hardwood floors with inlay? Are they putting in leaded windows? Are they putting in glass door knobs? Are they putting in solid brick homes? Are they putting in mature Sycamore trees or other mature trees? The answer to all of these is NO. These features (and many others) are what makes East Sac a neighborhood people desire.
- McKinley Village really needs to have its own off/on ramp to the freeway to not burden other neighborhoods. McKinley Village needs to have its own services including schools, grocery stores, and restaurants to not burden other neighborhoods. McKinley Village needs public transit options that are in their neighborhood. McKinley Village needs a variety of housing options for many types of demographics.

88-6

88-7

88-8

88-9

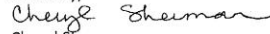
88-10

88-11

88-12

There are plenty of other things to address including pollution, noise, flooding concerns, etc...But I do not have the time to address these other concerns.

The East Sac and Mid Town community takes on the majority of the downside while the owners/builders make a ton of money at our expense. Please do not allow this project. This is not a good use for this land.

Sincerely,

 Cheryl Sherman
 Resident of East Sac since 2009
 440 Santa Ynez Way
 Sacramento, CA 95816
 916-969-8226
cheryl@5-wheels.com

Letter 88: Cheryl Sherman, January 9, 2014

88-1: The comment indicates support for the comments raised in the East Sacramento Preservation comment letter (see Letter 18). The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required. See also Letter 18 (East Sacramento Preservation).

88-2: The commenter is expressing her opinion that the length of the Draft EIR and appendices was too long for residents to review and provide comments.

Under CEQA, an EIR is “a detailed statement . . . describing and analyzing the significant effects of a project and discussing ways to mitigate or avoid the effects. (CEQA Guidelines, Section 15362.) The analysis to address all impact areas required under CEQA is necessarily scientific and technical. The EIR is required to include “summarized technical data, maps, plot plans, diagrams, and similar relevant information.” However, “highly technical and specialized analysis should be attached in appendices, rather than in the body of the document.” (CEQA Guidelines, Section 15147.) Consistent with these requirements, the Draft EIR includes references to supporting analyses and technical reports, but does not include all technical data within the body of the Draft EIR. Moreover, it is noted that approximately 130 comment letters were submitted on the Draft EIR, many of them from neighboring residents, indicating that laypeople were able to review the Draft EIR and provide their respective comments.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-3: The commenter is expressing her opinion that project traffic will impact the East Sacramento and Midtown neighborhoods and it is too “much of a burden for our community.”

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-4: The commenter is concerned that the at-grade crossing will force more people to use the 40th Street access adding more trips to East Sacramento.

Please refer to Master Response 9 (28th Street Train Crossing) for a response to this comment.

88-5: The comment states that there are no public transportation options available for project residents and more public transit options should be provided.

Please see Responses to Comments 18-39, 19-2 and 20-5 that address the availability of transit options.

88-6: The commenter expresses concern that the implementation of the proposed project would result in additional traffic and congestion on the Capital City Freeway (Business 80).

The commenter is correct that implementation of the proposed project would result in additional traffic on the Capital City Freeway (Business 80). The Draft EIR included an analysis of potential project impacts to freeway facilities within the study area under Existing Plus Project as well as Cumulative Plus Project conditions. However, as explained on page 4.9-1 of the Draft EIR, the City of Sacramento, in conjunction with support from the Sacramento Area Council of Governments (SACOG) has concluded that the proposed project is consistent with the Sustainable Communities Strategy (SCS) prepared and adopted by SACOG (see Appendix N). Under Senate Bill 375, projects that are determined to be SCS consistent are granted certain CEQA streamlining benefits. These include relief from analysis of project impacts on passenger vehicle greenhouse gas emissions, the regional transportation network, and growth inducement. In this context, the “regional transportation network” refers to all roadways contained in the regional SACOG model, which includes all State highway facilities, local arterials and many local collectors. Therefore, in accordance with the Public Resources Code Section 21159.28, it is not necessary to determine project impacts to the state transportation system (i.e., Capital City Freeway).

Despite no requirement to identify impacts to State highways, Section 4.9 of the Draft EIR does include analysis of the Capital City Freeway for informational purposes. This information is made available to assist Caltrans since it is responsible for evaluating State highway traffic operations and identifying future improvement needs especially within SCS areas where development projects are no longer required to perform independent impact analysis.

Please refer to Table 4.9-12 on page 4.9-57 and Table 4.9-22 on page 4.9-86 of the Draft EIR.

The commenter goes on to state that they do not support the on-going Caltrans planning process that would result in the closure of the E Street northbound on-ramp to the Capital City Freeway (Business 80). The commenter’s opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-7: The commenter expresses concern regarding the on-going Caltrans planning process that would result in the closure of the E Street northbound on-ramp to the Capital City Freeway (Business 80) and states that the cumulative effects of this project combined with the proposed project would result in additional traffic on streets within Midtown and East Sacramento.

As documented on page 4.9-63 of the Draft EIR, the cumulative analyses account for the planned closure of the E Street northbound on-ramp to the Capital City Freeway. Please refer to pages 4.9-73 through 4.9-92 for the analyses pertaining to the Cumulative Plus Project scenario, which evaluates the cumulative effects of both the closure of the E Street on-ramp as well as the proposed project, in addition to other planned infrastructure projects and land development projects in the area.

88-8: The commenter states that the Draft EIR does not address parking, and expresses concern regarding the existing parking situation surrounding the Orphan Breakfast House restaurant on C Street.

The City of Sacramento does not have an impact significance threshold related to parking. As part of the project review process, the City will ensure that the project meets all applicable City standards related to parking. This comment relates to issues that are relevant to the planning process for the project, and not the environmental document; please refer to the staff report.

88-9: The commenter expresses her opinion that the project includes too many single-family residences that are all two-story.

Please see Chapter 2 of this Final EIR for updated information on a new housing type added to the project that will provide attached units with single-story living options available.

The commenter’s opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-10: The commenter expresses her opinion that the project applicant is not trying to design the homes in the same style as the older homes in East Sacramento, with hardwood floors, leaded windows and glass door knobs.

The commenter’s opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-11: The comment states an opinion that the project needs its own ramp to access the freeway to not burden other neighborhoods, needs to provide commercial services and transit, and to provide a variety of housing options for all demographics.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

88-12: The comment states that the East Sacramento and Midtown neighborhoods take on a majority of the project impacts and urges the City not to support this project.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 89

From: Judy Mc <judys.place@live.com>
Sent: Thursday, January 09, 2014 5:56 PM
To: Dana Allen
Subject: McKinley Village DEIR comment

There was a comment on East Sac Watch a few weeks ago about drag racers on McKinley Blvd. This is a good example of what drivers will do when frustrated. This DEIR for McKinley Village says there is no increase in LOS but so did the Mercy EIR - no change in LOS! Yet there is an increase in LOS on H St and it seems to be increasing as people use H St to access the hospital and schools, freeway etc. and avoid the lights and slower traffic on J St! ... and the Heart Center is not officially open yet! With this increase load on H St comes commuter frustration and it overflows into the neighborhood with speeders and trucks on neighborhood streets - including trucks ignoring truck routes etc. This is going to also happen when the cars get tired of the speed lumps (33rd to Alhambra on C St) and divert up 33rd, 34th, 35th Sts. etc. to McKinley and every other direction. Cars back up 7-8 blocks at times from /Alhambra-30th St on H St. at commute times and school times. Only traffic in a very small area around the project was even considered in the DEIR. The traffic from this project extends to the schools that would be used and shopping areas.

89-1

How can you have an estimated population of 656 in 328 houses that have more 3-5 bedroom houses with granny flats? Given this estimate to be grossly under estimated means the estimate for car trip per day is also grossly underestimated. I understand the estimate for elementary children in this development to be around 95-230. This also does not support the estimated number of people per household. Some houses will have 5-6 people. There are many larger homes (3-5 bedroom) in McKinley Park in which there are 3-6 people living.

89-2

They are proposing a traffic signal at 33rd/McKinley Blvd. This suggests THERE IS an impact on traffic just using the their low number of estimated car trips AND a signal will also means cars backing up polluting the neighborhood with fumes while sitting for red lights.

89-3

We dealt with construction traffic issues with the Mercy Project and the rules were frequently ignored and all the traffic from the trucks etc. impacted the neighborhood outside the immediate few blocks of the project. Workers parked in the neighborhoods, heavy equipment trucks pounded the pavement early in the mornings (noise), and traffic was compromised with streets being blocked for loading/unloading. This is not a project in McKinley Park. All work, staging, supplies, and equipment should be confined to the area between the tracks and freeway.

89-4

Interesting that no post project EIRs are done to further mitigate what initial inadequate EIRs said was no impact though it turns out are! An evaluation of how well the company did with the initial EIR should be done to determine whether they qualify for doing future EIRs. EIR companies are hired by the developer and thus there is a built in prejudice. When was the last time an EIR said something like traffic was significantly impacted?

89-5

Usually there is a time gap of a few years before a new major project is proposed requiring an EIR. Each time an EIR is done the increase in LOS is compared to what is already existing, i.e. the increase from the prior EIR that stated no significant change in LOS. Thus with each new project the amount of traffic is every increasing over time. Well now there appears to be some since some mitigation is proposed, i.e. a light at 33rd St./McKinley Blvd.

89-6

The issues that have not been taken into account with this DEIR are that not only will this project further impact the level of traffic that already exists, but no accounting was taken for the additional traffic from the Cannery Business Park when they do their expansion plans and draw more business traffic into the neighborhood.

89-7

There is no requirement that homebuyers sign and adhere to a "bike to work policy". Only 2.2% of Sac population now uses bikes to get to work. Thus there will be a minuscule impact with a proposed bike access. And another point, when commuters in cars get frustrated with traffic they start using bike lanes as a passing lane. Lots of the population does not work where they live...just look at the freeway commute traffic patterns, even from Sac to Roseville in AM or Elk Grove to Sac. What do you suppose traffic will be like if CalTrans closes the E Street freeway ramp? Promoting this project as a place for people to live close to work is a fallacy!

89-8

McK Village indicates that sound barriers will be in place. Buildings that are 2 stories hear lots more noise than single story houses. Those that live in 2 story homes know this fact! A sound barrier would have to be 2+ stories high to stop the noise effect. Who wants to live in a 2-story house next to a wall 25+ feet tall between them and the rail tracks or freeway? That is like opening your windows to a brick wall – no view! Without a wall that high the noise cannot be mitigated for 2 story houses. Then there is the issue of who will clean up the graffiti facing the track (into East Sac) and freeway?

89-9

The project has a pool, but does not appear to have tennis courts, playground equipment, basketball court etc.

89-10

The MV population will come to the McKinley Pond/Playground with their children and be exposed to the June 2013 report documenting it as a "Human Health Hazard" for coliform (including salmonella) - City did not test for Giardia or Champhobacter levels. This is a major safety hazard and the City is doing nothing about it while spending money on aesthetics in other parts of the city not withstanding funding an arena. Other ponds in city did not come near as high for coliform as McKinley Pond's levels. This development is bringing more children to the pond area. Children need protection. (I have copy of City's 6/2013 report.)

89-11

Sacramento already has one of the lowest percentages of parkland to city area (8.1%) with a poor maintenance (they blame on 2007 recession) though it existed long before that. The City wants to make this fact worse with infill and get public funding for parks through "adopt-a-park" 501.c3 groups, diverting capital improvement funds to esthetics not safety.

89-12

The City needs more open natural green space - the Cannery is industrial, the trains are industrial and freeways are already polluting the area, there would be no need for digging additional access routes through the levee/rail lines. If CalTrans closes E St ramp the impact of cars from MV would not be an additional issue over what now exists.

89-13

Neighborhoods should have a greater say of what they want happening where they live. This project is not being proposed by any existing neighborhood entity. It has never had a neighborhood with streets, water and sewer. It

89-14

is a "new growth area" though this DEIR say otherwise in an attempt to get exemptions to existing rules. But it does dramatically impact the McKinley Park neighborhood quality of life expected by those of us living here.

↑
89-14
Cont.

This DEIR seems to be doing its best to prejudice and deceive the readers with deceptive wording, assumptions, tunnel vision, missing information, and numbers that have no basis. This project reeks of one purpose, get the project approved by any means and too bad for what impact it has on the neighborhood livability or what the neighborhood wants or what actual quality of life might be for the people who buy ignorantly into the project.

↑
89-15

The City's General Plan is there for a purpose. If anyone can come along and change the rules, descriptions etc. to fit their project, what is the purpose of the Plan?

Judy McClaver
35th St

Letter 89: Judy McClaver, January 9, 2014

89-1: The commenter is stating her opinion regarding traffic in the neighborhood and indicates the traffic study only considered a small area.

Please see Master Response 5 that addresses the scope of the traffic analysis

89-2: The commenter disagrees with the persons per household number used in the Draft EIR to determine the project's population.

Please see Master Response 6 that addresses the persons per household number.

89-3: The commenter states that a traffic signal is proposed at the McKinley Boulevard/33rd Street intersection and that this suggests that the project will impact traffic.

While no project specific impacts were identified to the McKinley Boulevard/33rd Street intersection, the Draft EIR analysis found that this location would be significantly impacted under Cumulative Plus Project conditions during both the AM and PM peak hours (DEIR, p. 4.9-76). The commenter is correct that the mitigation measure included in the Draft EIR includes a fair share contribution toward the installation of a traffic signal at the McKinley Boulevard/33rd Street intersection, which would improve peak hour operations to LOS A during both peak hours (DEIR p. 4.9-90). This mitigation measure shall not be a requirement for this project, but it may be installed when warranted.

89-4: The commenter is addressing construction traffic and is requesting that all work, equipment staging/storage be confined to the immediate project site.

As noted in Chapter 2, Project Description, page 2-58, construction equipment and construction worker vehicles would be located either onsite or at the adjacent Cannery Business Park site by the proposed 40th Street extension. The project applicant is required to prepare a traffic management plan for construction vehicles and equipment prior to beginning any construction activities. This plan, approved by the City, will establish truck routes, parking for construction workers, equipment staging, etc. Please see Response to Comment 19-15.

89-5: The commenter states that there are no post-project EIRs done that evaluate how well the EIR consultant did in preparing the initial environmental document. The commenter also states that the EIR consultant is hired by the developer so is "prejudiced."

CEQA does not require "post-project EIRs" to evaluate the project EIR. The City of Sacramento is the Lead Agency responsible for preparing an EIR for those projects that require discretionary approval. The EIR consultant works at the discretion of the

Lead Agency to analyze and disclose all environmental effects associated with a proposed project. The EIR consultant has no stake in the outcome of the project and has an ethical obligation to remain objective. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

- 89-6: The commenter is generally stating that the traffic level of service (LOS) changes and when an EIR is done it uses the current existing conditions which may show an increase relative to a prior EIR.

The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

- 89-7: The commenter states that the traffic study did not account for additional traffic associated with future expansion plans at the Cannery Business Park.

The cumulative scenario included in the Draft EIR uses the most recent version of the SACMET regional travel demand model, which incorporates planned land use growth within the City as well as the surrounding region (DEIR, p. 4.9-63). The Cumulative Plus Project scenario included in the Draft EIR is based upon traffic forecasts created using this model, and accounts for projected traffic increases resulting from both the proposed project as well as from other planned developments within the City and SACOG region. Please refer to pages 4.9-73 through 4.9-92 in the Draft EIR for the analyses pertaining to the Cumulative Plus Project scenario, which evaluates the cumulative effects of the proposed project in addition to other planned infrastructure projects and land development projects in the area, including future expansion of the Cannery Business Park.

- 89-8: The commenter states there is no requirement that homeowners sign and adhere to a “bike to work” policy and that promoting this project as a place for people to live close to work is a “fallacy.”

The project site is located within 2.5 miles of downtown Sacramento, which is an employment hub in the region. There is no requirement that this project, or any other project, require future residents to adhere to a bike to work policy. However, the City encourages locating residences in close proximity to services and jobs to afford people the opportunity to bike to work or take other modes of transit that are not auto-dependent.

- 89-9: The commenter offers her opinion that people will not want to live adjacent to a sound barrier and asks who will clean up any graffiti.

The clean up or repair to any sound barriers due to vandalism will be the responsibility of the homeowners association. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

89-10: The commenter states that the project has a pool but does not have tennis courts or playground equipment.

The commenter is correct that the project does not have tennis courts. However, the project applicant has proposed to include playground equipment in the central park. The project currently includes a private pool for residents of the project. The project applicant has provided City with conceptual designs for east, west, central parks and additional pocket parks/green spaces and final parks design and park programming will be determined pursuant to the City's Park Master Plan process.

89-11: The commenter states that project residents will come to McKinley Park with their children and be exposed to existing water quality conditions at the McKinley Pond that may be unhealthy.

The comment identifies potential events that are outside of the scope of this EIR and an issue for the City’s Parks and Recreation Department. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

89-12: The comment states her opinion that the City has one of the lowest percentages of parkland and indicates the City is not providing funding for necessary park improvements.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

The project’s impact on parks and recreation is addressed in Section 4.7, Public Services and Recreation.

89-13: The commenter states an opinion that the City needs more parkland and if the E Street Ramp is closed there would be no traffic issues associated with project traffic.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration. Please see Responses to Comments 52-1 and 52-2.

89-14: The commenter is offering her opinion that “neighborhoods should have a greater say in what they want happening where they live” and that the project site is a “new growth area” regardless of what it says in the EIR.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration. Please see Response to Comment 18-48 that addresses the City’s definition of infill.

89-15: The commenter states her opinion that the Draft EIR is deceptive and is designed to get the project approved regardless of the impact on the community or what the community wants.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 90

January 9, 2014

Attention: Dana Allen, associate planner, City of Sacramento, Community Development

We live in East Sacramento, two blocks off Elvas. We have several major concerns about the proposed McKinley Village development outlined in the DEIR. Please include these issues in any document that will go before the city council for approval.

- 1. The advisability of developing inaccessible property. 90-1
 - 2. The advisability of compromising the city's and East Sacramento's/River Park's secondary levee by tunneling beneath the railroad tracks and adding "flood gates." 90-2
 - 3. The advisability that, in the event of a flood, someone actually would "close" the flood gates to prevent flooding, thereby trapping residents in the suggested fisheye development. It would be a difficult decision for someone (who?) to make: to put the residents of East Sacramento or the residents of this proposed property at risk. 90-3
 - 4. The advisability of adding children from this development to East Sacramento's already overcrowded, impacted schools. 90-4
 - 5. The advisability of adding even more traffic to East Sacramento streets, when it is now nearly impossible to cross H Street or make a left-hand turn onto H Street during daylight hours. 90-5
 - 6. The advisability of adding water and sewer usage to an antiquated East Sacramento system that already is overburdened. Our concerns are especially relevant due to the official drought Sacramento is now experiencing. 90-6
 - 7. The advisability of building 328 homes and condominiums in an area with no public transportation. 90-7
 - 8. The advisability of adding demand for East Sacramento's police and fire services. 90-8
 - 9. The advisability of building 328 homes and condominiums near Cal Expo. The noise from Cal Expo negatively impacts our neighborhood already, and this proposed property sits even closer to the public facility. Upcoming concerts and events (soccer is now being proposed until a soccer stadium can be built) surely will impact any homes built in the proposed McKinley Village area. 90-9
- Observation:** We believe that the presentation materials for the McKinley Village project are misleading. A few examples: 90-10
- a. Architectural renderings show established, mature trees and landscaping – even though it could be 30 or 40 years before such a tree canopy would be realized.
 - b. The visual perspective shows wide streets, implying the 'feel' of broad boulevards; the streets show no automobile/truck traffic or parking.
 - c. Horizon renderings fail to show the scale of railroad cars and freeway cars/trucks, even though those images will be visible over proposed sound walls and shrubbery.

Thank you for giving us the opportunity to express our concerns about this project.

Rhoda McKnight
 H. Susan Wells
 146 Coloma Way
 Sacramento, CA 95819

(916) 457-7670
rhoda@cwo.com

Letter 90: Rhoda McKnight, January 9, 2014

90-1: The comment asks about the advisability of developing inaccessible property.

Access to the project site is currently available via the A Street Bridge and the project is proposing to construct an underpass through the UPRR embankment connecting to C and 40th Streets. Per the State Fire Code, two points of access are required. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

90-2: The comment asks if it is advisable to compromise the City's secondary levee to constructing the underpasses and adding flood gates.

The Draft EIR addresses flooding concerns and constructing flood gates in Section 4.5, Hydrology, Water Quality and Drainage. As stated on page 4.5-10 of the Draft EIR, "[t]he UPRR embankment, which is to the south and east of the project site, is not a certified levee. While the embankment functioned as a levee prior to the construction of the American River levees in the early 1950s, it does not meet current ACOE levee design criteria. Nevertheless, the City of Sacramento identifies the UPRR embankment (from approximately 7th Street in downtown Sacramento to approximately 14th Avenue in the Power Inn area) as a secondary flood control facility." Impacts 4.5-4 and 4.5-5 in the Draft EIR address flooding concerns and based on existing City procedures and requirements the impacts would be less than significant.

90-3: The commenter indicates that in the event of a flood the flood gates would be closed essentially trapping residents within the project site.

As noted on page 4.5-46 of the Draft EIR, "...the decision on when and how to close the proposed flood gates would be made jointly by the DOU and the City's Department of Transportation based on the flood danger and the traffic and circulation during the evacuation effort; however, in no case would the flood gates be allowed to remain open long enough for floodwaters to penetrate the proposed 40th Street and bicycle/pedestrian underpasses and threaten East Sacramento." In addition, "the project applicant would be required to prepare an evacuation route plan that establishes an exit route from the project site to a designated elevation via a continuous paved surface and provide a project-specific evacuation route plan to the residents at time of purchase. The homeowners association for the development would be required to review the evacuation route plan at least every 3 years and include any updates or changes to residents with distribution of the annual budget. The evacuation route plan would be developed and updated in consultation with the Sacramento Office of Emergency Services and shall be consistent with the City's

Emergency Operation Plan and Flood Management Plan. Original purchasers of homes in the project would be notified that their property lies within FEMA Flood Hazard Zone X, which is protected from the 100-year flood by a levee, and as such flood insurance is not mandatory.”(DEIR, p. 4.5-46.) In the event of a major flood event, the adjacent UPRR tracks and the nearby Sutter’s Landing Regional Park are considered “refuge areas” during emergency operations. They would be available as a safe haven for residents to avoid drowning and loss of life until rescue operations can be carried out. Lastly, “advance warning would be available; existing emergency evacuation plans are in place to protect the public; and the conditions of approval being imposed by the City of Sacramento would be sufficient to substantially reduce or avoid altogether the potential for significant impacts to public health and safety.” (DEIR, p. 4.5-45.)

- 90-4: The comment addresses adding more children to East Sacramento’s “overcrowded” schools.

Please see Master Response 2 that addresses school capacity concerns.

- 90-5: The comment is addressing an increase in traffic on East Sacramento streets and mentions the difficulty of crossing H Street.

Please see Master Response 5 that addresses the scope of the traffic analysis and Section 4.9 of the Draft EIR that addresses potential traffic impacts on local roadways associated with the project.

- 90-6: The comment addresses the increase in water demand, in light of the drought, and wastewater treatment using an “antiquated” system.

The Draft EIR evaluated impacts associated with an increase in water demand and wastewater treatment in Section 4.8, Public Utilities. Based on the analysis impacts were less than significant. As indicated on page 4.8-9 of the Draft EIR, “on an annual basis, under all drought conditions, the City possesses sufficient water supply entitlements to meet the demands of its customers up to the year 2035, which includes buildout of the General Plan.” In addition, “the City shall ensure that water supply capacity is in place prior to granting building permits for new development, per Policy U2.1.8 and per Policy U2.1.10, the proposed project would incorporate water-efficient landscaping to the extent feasible to reduce the overall demand for landscape irrigation.” (DEIR, p. 4.8-28.). The project is designed to incorporate the most current water efficient fixtures and appliances to minimize the project’s demand for potable water.

Regarding wastewater, the proposed project is located in an area served by the City of Sacramento's combined sewer system (CSS). Project "flows would be required to be pumped from the site via a pump station and force main to the City's CSS. The pump station would be located at the west side of the project site and pump flows south under the UPRR to a 42-inch pipe located at the intersection of Alhambra Boulevard and McKinley Boulevard. Per the City of Sacramento, there is adequate capacity within the existing 42-inch CSS pipe to accept the 0.313 PWWF mgd produced by the proposed project (Wood Rodgers 2013a). Sewer flows would ultimately be conveyed to the SRWWTP for treatment prior to being discharged into the Sacramento River." (DEIR, p. 4.8-30.) The project also includes separated stormwater infrastructure that would connect to two detention basins designed to detain and limit flows during large storm events to minimize any potential overflows of the City's CSS. (DEIR, p. 2-55.) The City has determined the existing City infrastructure can handle the increase in demand associated with the project and impacts are less than significant.

- 90-7: The comment asks about the advisability of building the project in an area with no public transportation.

Please see Responses to Comments 17-6 and 17-32.

- 90-8: The comment asks about the advisability of increasing the demand on police and fire services.

The Draft EIR evaluated the project's increase in demand on police and fire services in Section 4.7, Public Services and Recreation. Impacts were determined to be less than significant.

- 90-9: The commenter raises a concern regarding noise from events at CalExpo.

The project site is located further from Cal Expo than numerous existing single family residential uses located just south of Cal Expo and the American River. Specifically, the nearest proposed residences in the McKinley Village project would be in excess of one mile from the Cal Expo stage area, approximately 1,500 feet further than the existing residential communities located to the south of Cal Expo. Furthermore, there are existing apartments located on Exposition Boulevard immediately opposite the Cal Expo main entrance. Although some outdoor events held at Cal Expo may be audible at the project site under certain atmospheric conditions, such audibility is anticipated to be infrequent and would not exceed the thresholds of significance for noise impacts under CEQA.

90-10: The commenter indicates the graphics that show illustratives of the project are misleading.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 91

Dana Allen

From: JoEllen Arnold <joellenarnold@mac.com>
Sent: Thursday, January 09, 2014 8:41 PM
To: Dana Allen
Subject: McKinley Village Project

January 9, 2014

Concerns about McKinley Village Project:

How much additional traffic will be passing in front of my house on C Street between 22nd and 23rd Streets after the project is completed? Many people heading to work downtown will see this as the most direct route from McKinley Village, yet this street was not part of the traffic study, nor were many other parts of the Midtown neighborhood.

91-1

How many large trucks will use C Street between 28th and 19th Streets during construction? According to the traffic calming agreement of about 10 years ago under Steve Cohn’s watch, this section of C Street is not supposed to be a truck route but it is so designated on city maps.

91-2

What will be the impact of the project on pedestrian, skate board and bicycle access into Sutter’s Landing Park? The rail crossing and steep slope of the street approaching it are already very dangerous without the added traffic of the project.

91-3

My major concern is for the health and safety of all of us who live in the existing surrounding neighborhoods and for the possible future residents of the proposed McKinley Village, who will be surrounded by rail lines and a major freeway in a dense neighborhood that will be prone to flooding. Just not a good idea.

91-4

JoEllen Arnold
2210 C Street
Sacramento CA 95816

Letter 91: JoEllen Arnold, January 9, 2014

91-1: The commenter inquires how much additional traffic will travel in front of her house on C Street between 22nd and 23rd Street, and states that C Street was not included as part of the traffic study.

The traffic study included evaluation of C Street/28th Street intersection during peak hours. A comparison of the peak hour traffic volumes contained in Figure 4.9-6 (Existing Conditions, DEIR p. 4.9-29) and Figure 4.9-9 (Existing Plus Project Conditions, DEIR p. 4.9-47) at this location reveals that implementation of the proposed project would generate an estimated 13 trips during the AM peak hour and 15 trips during the PM peak hour on the segment of C Street located to the west of 28th Street. These values equate to an approximately 4.5% increase in traffic during peak hours. The Draft EIR did not identify any significant impacts to the C Street/28th Street intersection under Existing Plus Project or Cumulative Plus Project conditions. Additionally, the Draft EIR evaluated the daily capacity utilization of the segment of C Street west of 28th Street under all scenarios. Please refer to Tables 4.9-4, 4.9-9, 4.9-14, and 4.9-18 of the Draft EIR on pages 4.9-24, 4.9-51, 4.9-69, and 4.9-74.

91-2: The commenter inquires as to the number of trucks that will use C Street between 28th Street and 19th Streets during construction of the proposed project.

C Street is not a truck route as approved by City Council Resolution 99-484 dated August 24, 1999. City of Sacramento truck route maps were recently updated to reflect this resolution. The Draft EIR includes proper mitigation for construction impacts. As documented on page 4.9-62 of the Draft EIR, prior to the beginning of construction, the applicant shall prepare a construction traffic and parking management plan to the satisfaction of City Traffic Engineer and subject to review by all affected agencies. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. At a minimum, the plan shall include:

- Description of trucks including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns.
- Description of staging area including: location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, specific signage.

- Description of street closures and/or bicycle and pedestrian facility closures including: duration, advance warning and posted signage, safe and efficient access routes for emergency vehicles, and use of manual traffic control.
- Description of driveway access plan including: provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses.

91-3: The comment asks what the impact of the project will be on pedestrians, skateboarders, and bicyclists accessing Sutter's Landing Park due to the increase in vehicles, the at-grade crossing, and the steep hill.

Please see Response to Comment 63-2.

91-4: The comment expresses concern with the health and safety of the existing residents as well as future residents in an area prone to flooding.

The comment does not provide a specific concern with the project or the information contained in the Draft EIR other than flooding. Concerns associated with flooding are addressed in Section 4.5, Hydrology, Water Quality and Storm Drainage of the Draft EIR. As discussed on page 4.5-8, "the project site is outside of the 100-year flood hazard zone (Zone AE), but within Zone X, which is defined as areas that are protected from the 100-year flows by levees (FEMA 2012). The project site has the same level of flood protection as existing Sacramento neighborhoods such as McKinley Park, East Sacramento, River Park, Midtown, and Downtown, which are all protected by the certified flood control levee on the south bank of the American River." Impacts 4.5-4 and 4.5-5 address hazards associated with flooding due to a levee break as well as the addition of two tunnels through the UPRR embankment. Impacts associated with flooding are less than significant and no mitigation is required.

Comment Letter 92

January 9, 2014

Dana Allen
Community Development Department
300 Richards Blvd., Third Floor
Sacramento, California 95811

Comments on the DEIR for McKinley Village, Project PO8-086

Ms. Allen:

I am a 36 year resident of East Sacramento. For the past 21 years I have lived in the Meister Terrace tract which directly abuts the Elvas/C Street corridor. My home is three houses in from Elvas Avenue. I am not a soil engineer, an architect, a builder, nor an air quality specialist. I am a social worker. I approach my arguments from that perspective. (Please note that my enumerations do not necessarily correspond to the DEIR sections.)

1. Schools: My daughter attended Theodore Judah and Sutter Middle Schools. When she was at TJ in the 1980's, at least two portable classrooms were moved onto the school grounds to accommodate the number of students enrolled at that time. Those classrooms are still located at Theodore Judah School. Sutter Middle School in the 90's was at or exceeded capacity. I am sure that is still the case.

92-1

I therefore dispute statements in the DEIR that indicate there is availability of room for more students in our neighborhood schools. I do not understand how the DEIR authors can say with any truth that there is room to accommodate an additional 130+ students from McKinley Village.

2. Traffic: The traffic study was amazingly inept in measuring actual traffic issues in this neighborhood. I know of at least two accidents (one fatal) at the intersection of 36th Way (my street) and 40th Street (the 'connector' for McKinley Village). Thirty-sixth Way is a through street from Elvas to H Streets. This street is already a fully utilized street for traffic going both ways (from H Street North and from Elvas Avenue South) because there are few stop signs, no RT bus traffic, and no traffic modulators. Drivers regularly enter 36th Way from Elvas and make u-turns in front of my home and my neighbors' homes. I have to exercise extreme caution when entering or exiting my driveway because vehicles appear almost instantly! Drivers routinely exceed the 25 mph allowance on neighborhood streets.

92-2

YET! There was NO traffic camera placed at the intersection of 36th Way and Elvas! A stupid oversight or intentional oversight? Drivers already know this street exists; it is a wide street at Elvas. Does the city traffic engineer truly think that we will not be impacted by increased traffic from vehicles entering or leaving the proposed McKinley Village development?

92-3

Meister Terrace is a walkable neighborhood. Many of my neighbors (one of whom has lived in his same home for 65 years!) regularly walk in this neighborhood. People push strollers, walk dogs, and in some cases use walkers or motorized chairs/scooters, to move about this lovely area.

92-4

It was quite evident in studying the DEIR that there was a complete failure of any human on-site observation done in this neighborhood – traffic -wise, home-wise or otherwise. Meister Terrace is the major neighborhood that will be impacted by McKinley Village. Our streets will be flooded by vehicles at particular times of the day: morning and evening commute times. There is NO PUBLIC TRANSIT in this neighborhood, except the #34 bus which is located over ½ mile from the project entrance at 40th Street.

92-5

That bus route will cease to exist either when Steve Cohn leaves office, or when Sutter Memorial Hospital is gone. As it now stands, the last bus runs at 5 p.m. and only on the hour during weekdays.

3. Land Use, Planning and Population: The homes to be built in McKinley Village do not – in any way - resemble the homes in Meister Terrace. Most of us in MT have only one car garages – many of our homes have no garages. There are few two car garages. Two storied homes are the exception, not the norm in MT and exist mainly because of remodels and add-ons. There are many multi-family residences (duplexes) in MT – Elvas Avenue and C Street s are lined with duplexes. Not in McKinley Village. Most Meister Terrace homes were built post WWII as 2 bedroom or 3 bedroom, 1 bathroom homes of around 1200 square feet. They are modest homes. Modest does not begin to describe the proposed homes to be built in McKinley Village.

92-6

We do not have Homeowner’s Associations in Meister Terrace. McKinley Village will be isolated from Meister Terrace, with those residents only using our neighborhoods to drive vehicles on our streets to get to shopping areas, employment and schools. The proposal indicates that McKinley Village will be an addition to our neighborhoods. How so, I ask? There will be absolutely no reason for me or my neighbors to go into McKinley Village (except to gawk) because there are no plans for retail establishments or eateries. The swimming pool and parks will be for the residents of McKinley Village, unless by invitation.

92-7

The impact of these proposed 328 homes, the residents of same, the vehicles required to get in and out of the project, will be on our neighborhood. There will be no interaction between the two neighborhoods. McKinley Village will be an ‘elite village’, not a neighborhood meshing with our neighborhood.

92-8

4. Finally, I have great concern about the cavalier disregard in the DEIR for the health concerns of future residents of McKinley Village. As governing bodies, the City Council (and others) should be first and foremost concerned about the physical and mental health of its citizens. There will be more incidences of cancer because of the immediate exposure of those residents to pollution from the freeway and from the trains. There will be increased incidences of respiratory failures, heart failures and general malaise, because of this increased exposure to air pollution.

92-9

Pregnant woman, or parents of very young children, ought to be very concerned about and afraid of, what affect those increased pollution levels will have on developing fetuses and toddlers. The city officials should be extremely concerned about their liabilities in failing to show care and concern for these eventual outcomes.

The people who wrote the DEIR and the City Council members as well as staff, should feel ashamed for pushing this environmental report as unbiased and 'nothing to worry about' with the development of McKinley Village. I wonder who of you will choose to reside there in the 3,000 square foot houses that have windows that won't open (air pollution) and sound walls (noise pollution)closing off any possible view or sunlight.

92-10

There is absolutely no justification for building homes in this area of East Sacramento. It is completely inappropriate to put homes in a geographic bowl with the threats of exposure to toxins, poor health and potential groundwater issues, flooding and train derailment concerns.

92-11

Sincerely,

Jennifer H. Cummings
50 36th Way
Sacramento, California 95819
(916) 731-7143

Letter 92: Jennifer H. Cummings, January 9, 2014

92-1: The commenter is stating that there are capacity issues at both Theodore Judah Elementary School and Sutter Middle School.

Please see Master Response 2 that addresses school capacity issues.

92-2: The commenter states that the traffic study did not measure “actual traffic issues in this neighborhood” and goes on to express concerns about accidents at the intersection of 36th Way/40th Street, traffic volumes and travel speeds on 36th Way.

The proposed project does not result in any significant impacts to study facilities located on 36th Way under either Existing Plus Project or Cumulative Plus Project conditions. The traffic study evaluated daily roadway capacity on the segment of 36th Way located between McKinley Boulevard and Meister Way, and also evaluated peak hour operations at five intersections located along this segment (intersections of 36th Way with McKinley Boulevard, San Antonio Way, 40th Street, Tivoli Way, and Meister Way). As shown in Table 4.9-4 in the Draft EIR, this segment of 36th Way currently carries approximately 820 trips on a daily basis; this is well below the City’s threshold for LOS A operations (3,000 daily trips for a local street) (DEIR, p. 4.9-22). As shown on Table 4.9-9, the project is estimated to add 36 trips to this segment on a daily basis.

As shown on Table 4.9-10, all five study intersections along 36th Way would continue to operate at LOS A or LOS B during both peak hours with the addition of the proposed project under Existing Plus Project conditions, with no degradation in level of service (DEIR, pp. 4.9-51, 4.9-52). As shown in Table 4.9-20, all five study intersections along 36th Way would continue to operate at LOS C or better during both peak hours with the addition of the proposed project under Cumulative Plus Project conditions (DEIR, pp. 4.9-78, 4.9-79). Additionally 36th Way was evaluated in the Draft EIR (DEIR, p. 4.9-94) and it was recommended to install stop control at two intersections along 36th Way (San Antonio Way and 40th Street).

92-3: The commenter states that a “traffic camera” was not placed at the intersection of 36th Way and Elvas Avenue, and suggests that this segment of 36th Way may be impacted by traffic entering/exiting the proposed project site.

Please see Response to Comment 92-2 above for a discussion of the traffic analysis completed for facilities along 36th Way.

The facilities described in this response represent the facilities most likely to be impacted by traffic generated by the proposed project. Trips to/from the proposed project are not likely to use the portion of 36th Way located east of Meister Way as

this would result in out-of-direction travel, and therefore a longer travel time, between Elvas Avenue and the proposed C Street access located at 40th Street. Travel between the Elvas Avenue/36th Way intersection and the C Street project access via Elvas Avenue/C Street results in a trip length of approximately 1,650 feet, whereas travel between these two points via 36th Way results in a travel distance of approximately 2,300 feet. Further, C Street/Elvas Avenue features a higher travel speed relative to 36th Way and 40th Streets. It is not conceivable that significant amounts of project traffic would utilize a route that is both longer and slower than the direct route afforded by C Street/Elvas Avenue.

- 92-4: The commenter offers an opinion that the Meister Terrace neighborhood is pedestrian friendly.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 92-5: The comment states an opinion that the Draft EIR did not address livability factors in the Meister Terrace neighborhood and that the streets will be flooded with cars and there is a lack of public transit in the area.

Please see Master Response 10 that addresses livability in regards to traffic as well as Response to Comment 92-2 that addresses streets evaluated in the Draft EIR in this neighborhood. Responses to Comments 17-6 and 17-32 address access to public transit.

The commenter's assertions are based solely upon speculation are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 92-6: The commenter states an opinion that the project residences will not be similar or resemble homes in the Meister Terrace neighborhood that are small, homes built post World War II.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

92-7: The commenter states that the Meister Terrace neighborhood does not have a homeowners association and the project will be isolated from the Meister Terrace neighborhood and indicates that there will be no reason for residents of the Meister Terrace neighborhood to access the McKinley Village neighborhood.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

92-8: The commenter states an opinion that there will be no interaction between the two neighborhoods, except for project residents to drive through the Meister Terrace neighborhood and that the project does not mesh with the Meister Terrace neighborhood.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

92-9: The commenter indicates concern with the health effects of future residents, specifically children and pregnant women, and alleges there will be more cases of cancer and other noncancer effects due to the project's proximity the freeway and the UPRR tracks.

The Draft EIR and health risk assessment prepared for the project evaluated the health effects associated with proximity to the Capital City Freeway and the UPRR railroad tracks (see Section 4.1, Air Quality and Climate Change and Appendix C). The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

See Master Response 7 that addresses concerns associated with the health risk assessment.

92-10: The commenter offers an opinion that the Draft EIR is biased.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

92-11: The commenter states an opinion that there is no justification to build residences in area that will expose future residences to increased air pollutants, groundwater issues, flooding and train derailment hazards.

The Draft EIR analyzed air emissions and pollutants in Section 4.1, Air Quality and Climate Change and in Appendix C, Health Risk Assessment. Issues associated with groundwater, flooding and hazards associated with proximity to trains are addressed in Sections 4.4, Hazards and Public Safety, and 4.5, Hydrology, Water Quality and Drainage. The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 93

The Legrand Family
2730 F Street
Sacramento, CA 95816-3716
LLLegrand@sbcglobal.net
916-448-6303
January 9, 2014

Dana Allen
Associate Planner
City of Sacramento
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Dear Dana,

The purpose of this letter is to share our comments regarding the proposed McKinley Village project. We like the idea of an “urban infill” neighborhood and are not generally opposed to a new housing development at the McKinley Village site.

Our major source of concern with this project is the proposed use of 28th Street as one of the two primary entry/exit points for McKinley Village traffic. The addition of 1,800 cars onto our quiet Midtown residential street is unacceptable and illogical.

93-1

We know of no housing development in the City of Sacramento (or anywhere else in Northern California, for that matter) where residents are required to use a freeway overpass as their primary point of access. By doing so, thousands of extra vehicle miles will be generated annually, just so that residents can access their neighborhood. The additional air pollution, noise, and safety issues resulting from this plan are readily apparent. The impact on wildlife and quiet enjoyment of Sutter’s Landing Park will be overwhelmingly negative. Furthermore, the ability of emergency vehicles to quickly serve McKinley Village residents will be unacceptably compromised.

93-2

It is ironic that this project is called McKinley Village, and yet its residents have no direct vehicle access to its namesake, McKinley Park. In our opinion, the most appropriate routing of McKinley Village traffic is via Alhambra Boulevard. However, we have heard the developer state on numerous occasions that this is not an option. How can this possibly be the case?

93-3

We have owned our home at the corner of 28th and F Streets in Midtown Sacramento for 26 years. We are responsible citizens and taxpayers, and we are good neighbors who contribute to the local economy.

Please do not allow McKinley Village to use 28th Street as a “dumping ground” for its vehicle traffic.

93-4

Thank you for your consideration.

Sincerely,

Matthew, Laura, and Will Legrand

Letter 93: Legrand Family, January 9, 2014

- 93-1: The commenter indicates that one major concern for the project is the use of 28th Street as an access that will add 1,800 cars onto Midtown streets which the commenter states is “unacceptable and illogical.”

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43), 52% of trips generated by the proposed project are projected to use the A Street access point, located at the western end of the proposed project. As documented on page 4.9-39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, approximately 1,800 trips will use the A Street access on a daily basis (52% of 3,507), and continue south into Midtown. The commenter is correct that the project approximately 1,800 additional trips within the Midtown neighborhood. The impact of the project on transportation has been analyzed and documented in Section 4.9 of the Draft EIR.

The Draft EIR traffic analysis fully accounts for the effect these trips will have on Midtown streets and intersections consistent with the requirements of the City of Sacramento.

- 93-2: The comment indicates that they know of no other project that where residents use a freeway overpass for site access and that using this access will generate thousands of extra vehicle miles resulting in air pollution, noise and safety issues. In addition, using this access will impact wildlife in Sutter’s Landing Park and compromise the ability of emergency responders to access the site.

Access to the project site is proposed through an extension of A Street using an existing bridge (A Street Bridge) that was constructed in the 1950s when the freeway was constructed in order to permit access for the landowner. The second access is provided through an extension of 40th Street in the eastern portion of the site. Please see discussion above under Response to Comment 93-1 regarding the distribution of trips using the two access points.

The increase in vehicle trips and associated increase in air emissions and noise was evaluated in Section 4.1, Air Quality and Climate Change and Section, 4.6, Noise and Vibration. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

Please see Letter 23, Friends of Sutter’s Landing Park regarding effects on park wildlife and Master Response 9 that addresses access issues at the 28th Street at-grade crossing. The State Fire Code requires two points of access be provided in order to ensure there are multiple points of ingress and egress in the event of an evacuation. The ability of emergency responders to access the site is increased by

providing to points of access so it is not clear from the comment how access for emergency providers would be compromised.

- 93-3: The comment is expressing support for constructing a vehicle access at Alhambra Boulevard. Please see Master Response 1 that addresses in more detail the infeasibility of constructing a bridge/roadway underpass in this area.
- 93-4: The commenter urges the City to not allow the project to “use 28th Street as a dumping ground for vehicle traffic.”

The commenter’s opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 94

Dana Allen

From: Colin Crane <colinc1585@gmail.com>
Sent: Thursday, January 09, 2014 11:35 PM
To: Dana Allen
Subject: Mckinnley park traffic impact concern

I am a midtown resident. Specifically, I live on C Street just east of 28th. This of all corridors in Midtown is likely to increase in traffic substantially with the new development. Cars already come speeding past our street turn onto 29th street. It is amazing to me that there is not already a stop sign there. I have a two year old son and I fear for his safety because of the traffic already. I would like to know how the city can help alleviate the impact of increased traffic and speeding cars on our street.

|
94-1
|

Colin

Letter 94: Colin Crane, January 9, 2014

94-1: The commenter indicates that traffic in the area of C Street and 28th Street poses a dangerous condition for residents and would like to know how the City can alleviate traffic in this area. The commenter also recommends putting a stop sign at this intersection to slow speeding cars.

The comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. The Draft EIR did not identify any impacts to transportation facilities located on 28th Street. Further, there is no evidence to suggest that project traffic will increase travel speeds on 28th Street warranting traffic calming devices.

As documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices. The Midtown neighborhood, which encompasses 28th Street, has completed this process in the past (DEIR, Figure 4.9-3 documents existing traffic calming devices in the neighborhood). Additional traffic calming devices in Midtown would be evaluated through the NTMP process after the identification of new issues related to safety, traffic speed, etc.

Comment Letter 95

Dana Allen

From: vitosgromo <vsgromo11@comcast.net>
Sent: Thursday, January 09, 2014 11:36 PM
To: Dana Allen; Evan Compton; Steve Cohn; Sue Brown; 'Jameson Parker'; Peter Fenolio; ILee Muller; Anne Romo; Consuelo Hernandez; Steve Hansen
Cc: 'Alan Parker'; 'Dale Kooyman'; 'Vickie Valine'; mhvaline@gmail.com; 'Burgua William'; 'Karen Jacques'; 'Smith Clara'; smdtyler@aol.com; berdany@aol.com; 'BUS Margaret'; 'Smith Clara'; 'Ed Trujillo'; Anne Romo; 'DAMJANOVIC Martha'; 'Rhee, Foon'; 'Paul Harriman'; 'Laurie Litman'; 'Paul Tsamtsis'; 'Winger Robert'; 'Marion Millin'
Subject: McKinley Village Proposal Response January 9, 2014
Attachments: SACRAMENTO.docx; MCKinley Village Response 7 7 2013.docx; CA-HSR.pdf; Doc2.docx; Sacramento-Roseville 3rd Track Project.pdf; SR 51 PI Final Signed 01-08-13.pdf

Importance: High

January 9, 2014

Dana L. Allen, Associate Planner
 Environmental Planning Services
 Community Development Department
 City of Sacramento
 300 Richards Blvd., 3rd Floor
 Sacramento, CA 95811

McKinley Village Proposal Response PO8-086

I am resubmitting my July 7, 2013, see below and attached, response with amendments.

Amendments:

1. Traffic Study.

Study Flaws: The traffic study completed for the McKinley Village project has failed to consider several major urban planning and traffic models that are critical to determine accurate automobile traffic volumes.

Pass-By Traffic

According to the Institute of Transportation Engineers two major considerations for any traffic study that includes new access roads between two established city sections should include, "pass-by" traffic. New developments such as the McKinley Village Project will create a new artery of traffic between the central city and East Sacramento, River Commons and eastern sections of the city of Sacramento, This will have a **20% to 25 %** of increase of traffic above the increases created by daily trips of residents within the housing developments of McKinley Village.

95-1

Future Growth

According to the Urban Planning Institute, The Institute of Transportation Engineers and American Association of State Highway and Transportation Officials Guidelines, all new development traffic studies must include calculations for future growth of the proposed new development and the surrounding jurisdictions. According to the existing City of Sacramento General Plan, the Central City current population will grown from approximately 48,000 to 135,000 by 2013. This will be caused mainly by the UP Central City Railyard Infill Project. Also increased east west traffic will also be the result of the Arena Entertainment District. Access to these two major developments will require utilization of the roads that are now planned to connect the McKinley Village project with Midtown and East Sacramento. The traffic study failed to calculate this major impact that can also increase traffic by 20% to 30 %.

95-2

Due to these two major flaws the traffic study has grossly underestimated the full impact of the McKinley Village traffic on the nearby residential streets zoned for only local traffic volumes. If these two factors are used to augment the projected traffic volumes from the completed McKinley Village traffic study then the volume of traffic will exceed the capacity of the locally zoned residential streets.

95-3

Recommendation:

River West Investments should re-design the access points into their proposed housing developments to connect with city streets designated as collectors or arteriales such as ELvas Boulevard through Lanett and to Alhambra Boulevard.

Vito Sgromo
Cell 916 719-1477

I am writing to respond to the proposal by River West Investments to build 325 homes at the Assessor's Parcel Number 001-0170-028. The project site is bounded on the south and east by the elevated portion of the UPRR tracks and on the north and west by the Capitol City Freeway.

If approved as proposed, this project has major negative impacts to several regional development projects and future area transportation expansions.

- 1. Sutter Landing Parkway (Richards Boulevard Connector).

The General Plan (<http://www.sacgp.org/index.html>) has identified the future development of a parkway road, Sutter Landing Parkway (Richards Boulevard Connector) as a road that must be built to connect the I50 Highway to the Sutter Landing Regional Park, Route 160, to the major Railyard Central City Development and the new proposed arena and surrounding Downtown entertainment district. The

95-4

<p>Sutter Landing parkway is critical to the development of a regional park, the largest urban infill project in the West Coast and the new arena.</p>	<p>↑ 95-4 Cont.</p>
<p>Negative Impact: McKinley Village Proposal would if approved would eliminate the Sutter Landing Parkway by abandoning the ELvas Roadway and Lanett route and eliminating the needed land inside the proposed McKinley Village Proposal.</p>	<p> </p>
<p>Recommendation: River West Investments must alter their plans by allow enough land for the future Sutter Landing Parkway and abandon the 40th Street underpass and use Lanett Street as the underpass to connect to Elvas Boulevard Road.</p>	<p>95-5</p> <p> </p>
<p>2. Union Pacific Railroad Expansion UP is planning additional train lines (see attached reports, Sacramento Roseville 3rd Track and CAL HSR).</p>	<p> </p>
<p>Negative Impacts: River West Investments must set aside sufficient land to allow UP to expand. Also these additional train lines and the train traffic will eliminate the use of 28th Street as an access point for the McKinley Village Housing Proposal.</p>	<p>95-6</p>
<p>Recommendation: River West Investments must set aside sufficient land to ensure UP can add the additional tracks. Also River West Investments must designate 28th Street as a bike and pedestrian access since in the near future it will no longer be available for automobile traffic and enlarge the opening at Alhambra for 2 way auto traffic.</p>	<p> </p>
<p>3. Caltrans I80 Expansion Caltrans is planning a future expansion of the I 80 Highway that borders the McKinley Village Project (See attachment SR 51 PL Final 01-08-13). This should include on and off ramps to connect to the Sutter Park Landing Parkway.</p>	<p> </p>
<p>Negative Impacts: River West Investments has not allowed sufficient land to allow Caltrans to expand I80 thereby improving a bottleneck highway, reducing pollution and connecting with the Sutter Landing Parkway.</p>	<p>95-7</p>
<p>Recommendation: River West Investments has to redesign its housing proposal to allow sufficient land for the Caltrans expansion and the addition of an on and off ramps to connect to the Sutter Landing Parkway.</p>	<p> </p>
<p>4. Traffic Impacts to Local Streets River West Investments is funding a traffic study on the impacts of their proposal to access 28th and 40th Streets for automobile access to the McKinley Village housing project. According to the General Plan (http://www.sacgp.org/index.html) both streets are designated as local streets.</p>	<p>95-8</p>
<p>Negative Impacts: Although the traffic study has not been completed, the increase traffic could potentially exceed the capacity of the local streets.</p>	<p>↓</p>

Recommendation: River West Investments should re-design the access points into their proposed housing developments to connect with city streets designated as collectors or arteriales such as ELvas Boulevard through Lanett and to Alhambra Boulevard.

↑
95-8
Cont.

5. Caltrans New Proposed Capitol Railyard

Caltrans is currently examining the use of the land River West Investments has proposed for their housing project for a major new railyard and maintenance facility for Amtrak trains. Caltrans needs to build a new maintenance facility for Amtrak's Capital Corridor and San Joaquin Corridor trains (See attached Sacramento Bee Article, Friday July 5, 2013)

95-9

Negative Impacts: River West Investments if approved would have a very serious impact to the expansion of train transportation in Northern and Central California.

Recommendation: Place a temporary hold on any approval for the River West Investments McKinley Village Proposal until City and State officials determine the final location of the Capitol Railyard.

Conclusion

McKinley Village proposal if approved in its current design would negatively impact several major transportation and development plans including the development of the UP Central City Railyard Infill Project and Arena Entertainment District that are larger in scale than the McKinley Village Project and have not only city but regional impacts.

95-10

For the greater good of the city of Sacramento and Northern California I suggest that McKinley Village Project be placed on hold until the new Capitol Railyard location is finalized. Also if the McKinley Village Project is still planned for the current suggested site it must alter its design to allow sufficient land for transportation rail and road expansions and relocation of automobile access to Alhambra Boulevard and Lanett Streets that are designated to handle the increased traffic.

95-11

Let me know if you have any questions or if you need further information.

Thank you.

Vito Sgromo

Cell 916 719-1477

Letter 95: Vito Sgromo, January 9, 2014

95-1: The commenter states that according to the ITE one major consideration for a traffic study for a project that includes new access roads is “pass by” traffic and states that “pass-by” traffic when accounted for would result in a 20-25% increase in traffic volumes above the projected number of trips generated by residents of the proposed project.

The *Trip Generation Handbook* (Institute of Transportation Engineers, 2004) provides guidance on the quantification of pass-by and diverted link trips. By definition, these trips access a project site as an intermediate stop between their primary origin and destination, and are not “new” project trips. Pass-by trips are generally associated with commercial land uses (e.g., fast food restaurants, gas stations, coffee shops, etc.) that draw from existing traffic on surrounding roadways, and not with residential projects, such as McKinley Village.

Based on the commenter’s description, it is possible that the commenter has confused “pass-by traffic” with “cut-through” traffic that would be drawn through the project site under cumulative conditions, largely as a result of planned infrastructure projects located to the west of the project. The Draft EIR includes an evaluation of potential cut-through traffic within the project site. A comparison of the daily roadway volumes within the project site shown in Figure 4.9-13, reveals a difference of approximately 1,800 daily trips between Existing Plus Project conditions and Cumulative Plus Project conditions. As documented on page 4.9-63 of the Draft EIR, the cumulative (year 2035) traffic volumes account for planned transportation improvements in the vicinity of the proposed project. These improvements include the construction of Sutter’s Landing Parkway, a planned east-west roadway extending between Richards Boulevard and 28th Street, and a new interchange between Sutter’s Landing Parkway and the Capital City Freeway (both located to the west of the proposed project site). The construction of these two major pieces of transportation infrastructure would result in changes to travel patterns within the area, including cut-through traffic within the proposed project site traveling between Sutter’s Landing Parkway and East Sacramento. This cut-through traffic accounts for the additional 1,800 trips relative to Existing Plus Project conditions.

The commenter did not provide substantial evidence for how the value of a 20-25% increase in traffic volumes as a result of “pass-by traffic” was calculated. Substantial evidence is necessary to understand what aspect of the analysis could be inadequate and this was not provided. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, § 21080, subd. (e)(1).) Substantial evidence does not include mere

“[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

- 95-2: The commenter states that according to various professional organizations, traffic studies must evaluate future growth and that the traffic study prepared for the project failed to calculate these impacts which can increase traffic by 20 to 30 percent.

Future growth is also referred to as cumulative growth or cumulative conditions. Please refer to pages 4.9-62 through 4.9-92 of the Draft EIR for the analyses pertaining to the Cumulative and Cumulative Plus Project scenarios. The cumulative scenario included in the Draft EIR uses the most recent version of the SACMET regional travel demand model, which incorporates planned land use growth within the City as well as the surrounding region (DEIR, p. 4.9-63). The Cumulative Plus Project scenario included in the Draft EIR is based upon traffic forecasts created using this model, and accounts for projected traffic increases resulting from both the proposed project as well as from other planned developments within the City and SACOG region.

A comparison of the cumulative (year 2035) traffic volumes displayed in Figure 4.9-10 (DEIR, p. 4.9-65) to the existing traffic volumes displayed in Figure 4.9-6 (DEIR, p. 4.9-29) clearly shows the projected increases in traffic volumes as a result of planned new developments and transportation projects at each of the study intersections.

- 95-3: The commenter alleges that the traffic study “grossly underestimates” project traffic on local streets and recommends that the project should be redesigned to connect to Alhambra Boulevard or Lanatt Street.

Please see Responses to Comments 95-1 and 95-2, above and Master Response 1 regarding the request to connect to Alhambra Boulevard and Lanatt Street. Commenter’s assertions are based solely upon speculation and are not supported by substantial evidence. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 95-4: The comment states that the City’s 2030 General Plan identifies future development of a Parkway that connects this area of the City to downtown.

The traffic study (see Section 4.9 of the DEIR) analyzes the project both with and without Sutter's Landing Parkway, a new east-west roadway extending between 28th Street and Richards Boulevard as well as construction of a new interchange between Sutter's Landing Parkway and the Capital City Freeway under cumulative conditions (DEIR, p. 4.9-63). As documented on page 4.9-63 of the Draft EIR, the cumulative (year 2035) traffic analyses account for planned transportation improvements in the vicinity of the proposed project, including the construction of Sutter's Landing Parkway. As depicted in the City of Sacramento 2030 General Plan, this roadway would not extend beyond the Capital City Freeway (Business 80), and would not connect through the site of the proposed project.

It is assumed that this interchange would not provide access to the project site, and that all traffic would access the interchange to/from the west of the freeway.

- 95-5: The commenter states that if the proposed project is approved it would eliminate Sutter's Landing Parkway and recommends that the project applicant allow land for the parkway and use Lanatt Street as the project access.

Construction of the proposed project would not preclude construction of Sutter's Landing Parkway and the traffic analysis addresses the project both with and without the parkway. Adequate right-of-way is available to construct the interchange without affecting the project. Please see Response to Comment 1-9.

Please see Master Response 1 that addresses the infeasibility of using Lanatt Street as for project access.

- 95-6: The commenter states that Union Pacific (UP) is planning additional tracks in the vicinity of the project site and that the project applicant must set aside land to ensure UP can expand the tracks. The comment also states that the project needs to designate 28th Street for pedestrian and bicycle access and provide vehicle access at Alhambra Boulevard.

The project has been designed to accommodate the potential future widening of the railroad tracks adjacent to the site. As indicated in Chapter 2 of the Draft EIR on page 2-62. "[t]he Capitol Corridor Joint Powers Authority (CCJPA) is proposing to add an additional railroad track adjacent to the southern and eastern boundary of the project site, up to 45 feet closer to the project than the existing tracks closest to the site to allow more passenger trains between Roseville and Sacramento (Sacramento–Roseville Third Track project - CCJPA). It is unknown if UPRR proposes to add tracks in this area because UPRR is unable to share plans for any future projects due to homeland security reasons. However, the proposed 40th Street underpass, as well as the bicycle/pedestrian underpass, if approved by UPRR and the appropriate

government agencies, have been designed to accommodate future expansion of the UPRR/CCJPA tracks with the proposed CCJPA track being closest to the project site.” (DEIR, p. 2-62.)

It is unclear if the commenter is requesting that the project designate the A Street access for pedestrians and bicycles or 28th Street. The City owns and maintains 28th Street as a public street so the project would have no ability to convert any portion of this roadway to pedestrian or bicycle only access. Regarding the A Street access, the project is proposing to use this existing access for the project for vehicular, pedestrian and bicycle access.

Please see Master Response 1 that addresses the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard.

95-7: The commenter states that Caltrans is planning to widen the freeway in the vicinity of the project site which includes an interchange and that the project applicant must set aside land to ensure Caltrans can expand the freeway to accommodate the interchange.

As stated in Chapter 2 of the Draft EIR, “Caltrans is considering future improvements to Capital City Freeway adjacent to the project site (Caltrans 2013). Potential improvements include closing the E Street eastbound on-ramp and adding a fourth (transitional) lane on the eastbound portion of the freeway from the UPRR overcrossing to the bridge over the American River. Caltrans has indicated these improvements could be constructed within the next 7 to 10 years; therefore, the project has been designed to accommodate these improvements if constructed at a future date. Caltrans has indicated that these improvements could be accommodated within their existing ROW.” (DEIR, p. 2-63 and Response to Comment 1-9.) The Draft EIR also states that the “City of Sacramento 2030 General Plan includes a new interchange and bridge over the Capital City Freeway to provide access to Sutter’s Landing Regional Park to the north. No vehicle access would be provided to the project site if this interchange were constructed. However, no funding or a timeline has been identified for this project at this time.” (DEIR, p. 2-63.) Please see Responses to Comments 1-9, 95-4 and 95-5 regarding analysis of the future interchange in the traffic analysis.

95-8: The comment states project traffic could exceed the capacity of local streets connecting to the A Street access and the 40th Street access and recommends the project should connect to streets designated as “collector” or “arterials”, such as Lanatt Street or Alhambra Boulevard.

Please see Master Response 1 that addresses the infeasibility of using these streets for a bridge/roadway underpass.

95-9: The commenter recommends that the project be placed on hold until the City and Caltrans finalize the location for the new rail car maintenance facility.

According to a recent email from Caltrans, plans for a new maintenance facility have been suspended (email from S. Hunter to M. Norris February 18, 2014). The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

95-10: The commenter states that if the project is approved it would negatively impact other City projects including the Railyards development and the proposed sports and entertainment arena project.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

95-11: The commenter offers his opinion that the project be placed on hold until the Caltrans rail car maintenance site is finalized and the project be redesigned to allow vehicle access at Lanatt Street and Alhambra Boulevard.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Please see Master Response 1 that addresses the infeasibility of using these streets for a bridge/roadway underpass.

Comment Letter 96

January 9, 2013

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

DEIR for McKinley Village, Project P08-086

Dear Ms. Allen:

I have lived 5 different residences in East Sacramento since 1975 or for 39 years. My children attended elementary, junior high and high school in East Sacramento so I am well versed about the school district and the neighborhood. I have served as a volunteer in my community including 8 years as a board member, vice-president and president of MENA. I have worked as a part-time real estate investor having invested in well-located California income property since 1970. All the properties I invested in have been located near downtown areas and have been in walkable neighborhoods close to city centers. I have very limited vacancies and a high demand for my rental units. My career has been to help people as a career counselor and as a manager in a non-profit.

This Process and the Lack of Fairness to the Citizens

It has been quite disturbing for me to witness this DEIR process for McKinley Village. The collective sentiment of the majority of the residents I talk to is resentment and annoyance regarding the way that the city does business. The city does not even provide hard copies of this EIR document so people are forced try to "read it" online which is ridiculous because it is really not possible to review a document this length online. It also eliminates my neighbors even seeing the document who are older and have no computers. The timeline the city gives to review this over major holidays was also dreadful and caused stress for people trying to live and pay taxes to the very city that has punished us with this process. This report is extremely biased. These houses should not be built in an area that is basically unlivable with vibrations from 35 to 50 trains a day to the pollution from thousands of cars. The City Council is responsible for people's health and their lives. It is irresponsible to look the other way when considering health risks for residents.

The consultant that was hired to prepare this DEIR has made it clear to the reader that they are "pro project" as the text reveals this bias repeatedly. This was very disturbing and it angers neighbors in East Sacramento.

C Street between 30th and 33rd Street

As you probably already know, C Street between 30th and 33rd Street is once again mentioned in the MV DEIR as a Major Collector because the city made a mistake in the General Plan document.

96-1
96-2
96-3
96-4

The section of C Street between 30th and 33rd Street is not a Major Collector. It is a local street. This was pointed out to Steve Cohn when we worked with MENA and ESP before on a former rendition of "McKinley Village" so Steve knows about it.

96-4
Cont.

If the City keeps categorizing this section of C Street (in error) as a Major Collector then it is quite obvious that the DEIR for McKinley Village is inadequate. It is irresponsible NOT to correct this error!

Schools

There are 2 portable classrooms that are ancient located at Theodore Judah School and the school is crowded. There is not room at Theodore Judah for 130+ students. Sutter Middle School is also crowded and does not have room for these additional students.

95-5

Neighborhood Associations and "so called outreach" by the Developer

I am a member of all the neighborhood associations. The discussions with the developer should include discussions with the members about the project. The only neighborhood association that did consistent outreach to their members was East Sac Preservation.

Neither MENA under the current leadership or ESIA did outreach to their members and asked them what they think. A neighborhood association that operates in a bubble and does not engage the members is not a neighborhood association but instead is a private club. MENA has By-Laws to follow but under the current leadership they do not follow the By-Laws or have an adequate number of board members. (They have only 4 board members and no women on their board.) ESIA does not communicate with their members nor asks them for input about the project nor anything else. Their board members appear "permanent" as they have never sent out a request for board members to join them or apply to join them. They have the same board members year after year after year. They appear to also be a private club like MENA. Their speaking with the developer is a joke as with no discussions with their members, as then their "opinions" are in a bubble and are only influenced by their board members and no one else. This is completely unacceptable and the city should take this in consideration when "listening" to these neighborhood associations.

95-6

Since I was a board member of MENA for many years in the past, I worked with this developer about his project. When he met with the neighbors it was never to get their feedback and incorporate the feedback into changes on his project. This developer only communicates one way and it is him talking and everything should be listening. He has no ability to sit down with neighbors and resolve differences as his inability to ask questions and listen to feedback simply does not exist. On the other hand, I worked with closely as the MENA Vice President with the developers of the now closing Sutter Hospital. They invited us for coffee and listened to our feedback even taking notes about our neighborhood and they took to heart our suggestions. They incorporated these suggestions and they are now going build homes on that site and there is not public outcry or disagreement. And, that is because Teichert did their homework and they knew to listen carefully to the neighbors. Mr. Angelides fails at this completely. He has no idea how to work with people/neighbors of this project. He is not a person who sincerely wants to listen and incorporate changes into his project.

DEIR mitigation measures

Please differentiate between required and recommended mitigation measures. The cloudiness of this makes things very difficult for citizens.

96-7

Not a Sustainable Design

The DEIR should explain in detail and quantify how the proposed project will meet developer’s stated objectives. This project is not consistent with sustainable design. The houses have many garage units and the residents rely on the automobile to get around. This is not a sustainable community. There is no transit. Bus line 34 is going to be discontinued soon so there will be NO bus line for these residents. *This project does not fit the city of Sacramento criteria for infill.*

96-8

Cumulative Impacts on this neighborhood

The city would have to look at all other development projects to really be clear about cumulative impacts. The other projects include Mercy Hospital, Sutter Park project, Sutter General Hospital etc.

96-9

A Future Slum

Lastly, I would have to mention that it is likely that this project will provide a future slum for the City of Sacramento. It is not a good site for these expensive homes trying to pretend they are part of McKinley Park. They are not. The homes likely will not sell nor will they rent. They could end up vacant and a slum for all of us to deal with. I would not live there due to the noise and vibration and toxics from the freeway and the railroad. No one I know would buy there or rent there. The location is truly horrible. I am not the only investor who has thought about this location and what is likely to happen. It is a “pipe dream” for Mr. Angelides to pretend this is McKinley Park. It is not McKinley Park and the financial fall-out and the likelihood of a slum is a reality that the city needs to face. My neighbors already call this development “Cancer Cove” as it is not a nice place to live and if you did live there you would probably die of disease due to the location or stress from the vibration from the trains and the toxic air you would be breathing every minute.

96-10

Nancy Cornelius
67 Primrose Way
Sacramento, CA 95819
916 284-7786

Letter 96: Nancy Cornelius, January 9, 2014

96-1: The commenter offers her opinion that the Draft EIR was not easily accessible for public review and comment.

The Draft EIR was circulated for public review in accordance with the State CEQA Guidelines. Please see also Responses to Comments 18-3 and 120-1. This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

96-2: The commenter expresses her opposition to the project due to potential vibration and health risks for residents.

Impacts related to air quality and noise/vibration are addressed in Sections 4.1 and 4.6 of the Draft EIR, respectively. See Responses to Comments 31-81, 31-82 and Master Response 7 for information regarding vibration and the health risk assessment that was prepared for the project.

96-3: The commenter offers the opinion that the consultant that prepared the Draft EIR is “pro project”.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

96-4: The commenter states that the Draft EIR incorrectly identifies C Street between 30th and 33rd streets as a Major Collector.

To address this concern the description of C Street/Elvas Avenue on page 4.9-9 is revised to read:

C Street / Elvas Avenue is depicted in the City of Sacramento’s 2030 General Plan as a local roadway between 30th Street and 33rd Street and a collector roadway that extends between from 33rd 30th Street at its west end to and 65th Street to the east. Between 30th and 33rd Streets, C Street is a relatively narrow two-lane roadway classified as a Local Street in the City of Sacramento’s 2030 General Plan, with on-street parking, fronting residences with driveways, and a posted speed limit of 25 miles per hour (mph).

Additionally, Tables 4.9-4, 4.9-9, 4.9-14, and 4.9-18 have been updated to reflect that the roadway segment of C Street from Alhambra Boulevard to 33rd Street is a local street, as shown in Chapter 2 of this Final EIR.

96-5: The commenter states that the area schools, including Theodore Judah and Sutter Middle School do not have room for additional students.

The project’s impacts on schools are discussed in Section 4.9 of the Draft EIR. In addition, please refer to Master Response 2 for further information regarding school capacity.

96-6: The commenter expresses her opinions regarding the outreach conducted by the project developer.

The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

96-7: The commenter requests clarification on the difference between required and recommended mitigation measures.

In some instances mitigation is recommended but not required because the impact is less than significant and does not require mitigation. The only recommended mitigation measure is Mitigation Measure 4.6-6 on page 4.6-60 of the Draft EIR. The impact is less than significant but it is recommended that mitigation which requires disclosure statements be provided to residents adjacent to the UPRR tracks be provided. Since it is not a required mitigation it is up to the lead agency to make a determination if this will be required of the project applicant. However, the project applicant has already indicated they will comply with this mitigation measure.

96-8: The commenter suggests that the Draft EIR include details and quantification of how the project will meet the stated objectives. The commenter asserts that the design is not sustainable, is not accessible by transit, and does not meet the City’s criteria for infill.

Please see Responses to Comments 17-6 and 17-32 regarding access to transit and Response to Comment 18-11 regarding consistency with sustainable design and Response to Comment 18-48 on the City’s definition of infill.

96-9: The commenter states that the cumulative impacts need to consider all other development projects including, Mercy Hospital, Sutter Park, and Sutter General Hospital.

The Draft EIR provides an analysis of cumulative impacts for each issue area in accordance with the CEQA Guidelines. The cumulative context varies depending upon the issue area being evaluated. A discussion of the cumulative impacts of each

issue area (e.g., air quality, cultural resources) is discussed at the end of each section in Chapter 4 of the Draft EIR.

96-10: The commenter offers the opinion that the project will become a slum due to the location and poor quality of life expected in the area.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 97

January 9, 2014

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

SUBJECT: McKinley Village DEIR Comments

Dear Ms. Allen:

In the 36 years that I have lived in McKinley Park, I have observed a number of proposals to develop the 48-acre parcel now under consideration for the McKinley Village Project (hereafter McVillage). For this discussion, I shall focus on the Draft Environmental Impact Report (PO8-086) and traffic-related issues surrounding the McVillage proposal.

Traffic planning and management is the most crucial issue of the McVillage proposal, in terms of viability. No other single factor will have more day-to-day impact on prospective and current residents in the area. Very limited traffic access to the site has already come under intense scrutiny, and rightfully so. Unfortunately, the DEIR obscures and misrepresents data needed to address this and other traffic concerns.

The City was not transparent, and never provided me with specific details on how they remedied data flaws in traffic flow studies during the summer and fall. (See attached photos.) That data was questionable because traffic counting cameras were first placed on area streets when Theodore Judah School was closed for the summer. The school is a major source of traffic close to the McVillage site and 40th Street, proposed as a main connector from McKinley Boulevard.

97-1

On at least two occasions in October, when the City was doing major street work to install new water meters and water lines in the neighborhood closest to the McVillage site, traffic cameras were set up immediately adjacent to street closings. I observed and photographed cameras placed next to "street closed" signs. Traffic flow around the school and surrounding area was severely disrupted during this time.

97-2

It is very possible, if not probable, that traffic was under-counted, not to mention distortion of the usual traffic flow pattern. Why would the City allow monitoring at the very times when school traffic was absent and street traffic was being diverted and disrupted? I personally called this situation to your attention. You referred it to staff, but I never received any explanation from anyone with the City on why this happened, or how (or whether) the traffic data were actually adjusted or corrected.

97-3

I attempted to get an answer again at a MENA meeting on Oct. 16, 2013, when I approached Mr. Phil Angelides, who leads the McVillage project. When I asked about traffic monitoring flaws, he brushed off my concern. Mr. Angelides said the traffic

97-4

counts were acceptable in 2008 (when a previous project was proposed), and this project would generate even less traffic. He clearly believed the issue was a slam-dunk for McVillage. But was the previous monitoring flawed too? Were results from the latest monitoring – funded by the developer and “supervised” by the City – simply a foregone conclusion? Given the DEIR’s order-by-the-number menu for McVillage, these are legitimate questions.

97-4
Cont.

Based on my experiences, I mistrust DEIR data regarding traffic flow. My mistrust is further underscored by the fact that the DEIR (1) blatantly underestimated the number of persons (and drivers) projected to live in McVillage, and (2) misrepresented the environmental and health effects from various transportation source emissions. These points have been addressed in detail by other DEIR commenters.

97-5

Another traffic-related concern is the DEIR’s “rolling stop” approach to gauging acceptable levels of traffic, while ignoring pedestrian safety issues. The DEIR puts car wait time at stop signs as its top priority. What about speeding? A number of connector streets between McKinley Boulevard and Elvas already have speeding traffic at all hours. I have personally witnessed drivers going 40-45 mph on streets where children are present. No wonder some residents have posted signs: “Drive as if your children lived here” and “Children at play.” Even at marked crosswalks, adults and children often find it difficult to cross the streets safely in this area. How would several thousand additional car trips daily affect safety? This is supposed to be a pedestrian-friendly area.

97-6

Finally, it is most important to take a long-term view of area traffic management and invest accordingly. Access problems for McVillage were created by short-sighted planning in the past, often based on cutting costs. We can’t move major freeways or rail lines today, but we can be realistic about the infrastructure needed to sustain and enhance this area well into the future. McVillage could be the answer, but it needs to be more than just a cleverly-named development, with more transportation access to the surrounding area.

97-7

According to the DEIR, the developer rejects an Alhambra connector as too costly. Is that truly smart growth? The City should seriously consider a series of transportation requirements as a condition for project approval, including an Alhambra connector, a well-engineered center lane divider along Elvas, control measures for through streets near McVillage access points, and yes, public transit. In my view, without some serious concessions to future transportation needs, McVillage is not a viable project.

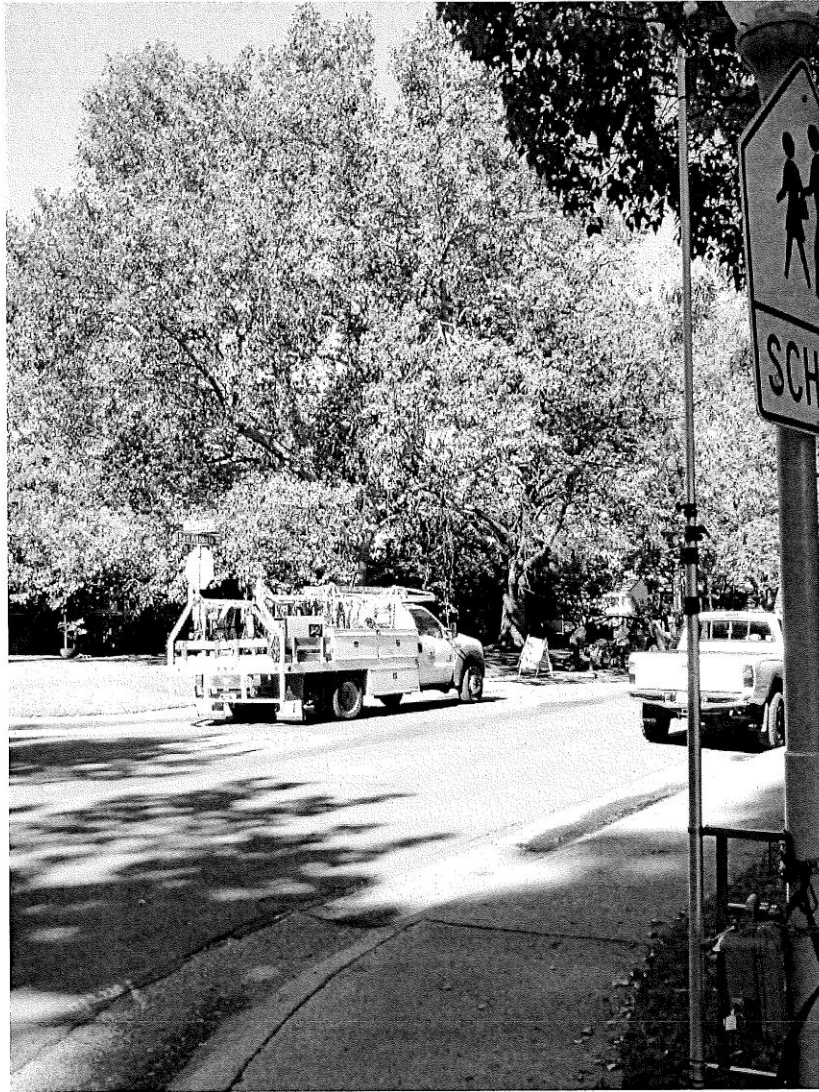
97-8
97-9

Thank you for accepting my comments.

Glenn Brank
290 San Antonio Way
Sacramento, CA

(photos on following pages)













Letter 97: Glenn Brank, January 9, 2014

97-1: The commenter states that the City was not transparent in regards to the traffic data and questions the data used in the traffic analysis because school was out during the traffic counts.

Please refer to Master Response 3 for additional information regarding the timing of the traffic counts and information regarding construction activity that was ongoing at the time of the counts.

97-2: The commenter describes examples of road work that was underway during the collection of traffic data and states that traffic flow was disrupted during this time.

Please refer to Master Response 3 for additional information regarding the timing of the traffic counts and information regarding construction activity that was ongoing at the time of the counts.

97-3: The commenter states that traffic was likely under-counted and questions the City's decision to allow monitoring of traffic during that time.

Please refer to Master Response 3 for additional information regarding the timing of the traffic study.

97-4: The commenter reiterates his concerns regarding the validity of the traffic analysis.

Please refer to Master Response 3 for additional information regarding the timing of the traffic study.

97-5: The commenter expresses his distrust for the Draft EIR and refers to other commenter's comments regarding persons per household projections and health effects of emissions.

Please see Master Response 6 that addresses the persons per household calculation and Master Response 7 regarding the methodology used for the health risk assessment. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

97-6: The commenter describes his concerns regarding pedestrian safety due to traffic speeds in the area and questions how the project would impact pedestrian safety.

Section 4.9 of the Draft EIR evaluated pedestrian safety on pages 4.9-58 and 4.9-61. The project provides for sidewalks and crosswalks for pedestrians so no impacts were

identified. The comment referring to traffic that fails to comply with the speed limits refers to an existing condition that may occur in any location in the City. Pedestrian facilities including sidewalks and crosswalks will be provided. Pedestrians will encounter the same conditions as existing residents within East Sacramento. This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. The Draft EIR did not identify any significant impacts to pedestrian facilities. Further, there is no evidence to suggest that project traffic will increase travel speeds on local streets.

As documented on pages 4.9-37 and 4.9-38 of the DEIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices. Additional traffic calming devices in this area would be evaluated through the NTMP process after the identification of new issues related to safety, traffic speed, etc.

This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is forwarded to the decision makers for their consideration.

97-7: The commenter offers his opinion access problem to the project site were created by poor planning and it's important to be realistic about future infrastructure needed to sustain this area and the project is not the answer. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

97-8: The commenter questions the developer's rejection of an Alhambra connector and calls on the City to require it as a condition of approval.

Please refer to Master Response 1 for additional information on the infeasibility of a bridge/roadway underpass at Alhambra Boulevard.

97-9: The commenter offers his opinion that the project is not viable without concessions to future transportation needs.

Please see the recommendations regarding C Street access to the project site, which include a raised pedestrian island and crosswalks on all approaches to the new intersection (DEIR, p. 4.9-93).

This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is forwarded to the decision makers for their consideration.

Comment Letter 98

09 JANUARY 2014

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, California 95811

Dear Ms Allen,

These comments are in regard to the **PUD Guidelines (Appendix M) for the McKinley Village Project (P08-086)**, dated 12 November 2013.

The PUD Guidelines for this project are consistently vague and so open-ended that it is difficult to make substantive comments on them. According to both the DEIR and these Guidelines, the overarching project goal is to create “an orderly and systematic development of an integrated, sustainable residential community that is consistent with the goals and policies of the City of Sacramento 2030 General Plan and the SACOG Blueprint Plan.” It is difficult to place any metrics on either “orderly” or “systematic” so there is no need to comment there. However, the project, as we pointed out in our DEIR comments, is deficient in meeting many goals and policies of the 2030 GP and the SACOG Blueprint. It makes just token acknowledgement to the tenets of smart growth and the Blueprint other than its proximity to the urban core. It is not a Complete Neighborhood, has virtually no mixed-use characteristics, does not provide housing opportunities for a wide range of the City’s population, does not have any viable public transit and is an excessively auto-oriented, suburban-style sub-division development. It is very poorly connected to adjacent neighborhoods with just one vehicular connection to Midtown (which is an at-grade railroad crossing) and one to East Sacramento through a 150-foot long tunnel.

98-1
98-2

Furthermore, while the structures themselves may mimic some of the architectural qualities of the adjoining East Sacramento and McKinley Park neighborhoods, the lot sizes, lot types, the setbacks and the relation of the houses to the street is nothing like those neighborhoods. The “spatula” driveway cul-de-sacs for both the Courtyard and Cottage units do not appear in those neighborhoods. Half of these units (1/4 of the project’s units) will have 2-car garage doors as the primary element in the front, public façade.

98-3

The front yards for almost all of the houses will be so small (8’ deep or less) that there will be insufficient room for more than a few shrubs. In fact many of the yard areas are so tiny that planting and maintenance will be very problematic compared to East Sac yards. Guideline 2.4.2 calls for “front yard landscaping should consist of at least one deciduous tree a minimum of 15-gallons in size.” Is there sufficient space for large trees in these yards or is this planned for the sidewalk median?

98-4

Turf area, which is the most common front-yard for East Sac houses, should not be used in this project due to the tiny yard size, which will make for inefficient maintenance, and the ultra-high water demand turf requires.

98-5

Most if not all of the Residential Dimensional Standards (Table 2) deviate significantly from what is found in East Sac. Lot coverage of 70% is considerably more than East Sac properties where most properties have 25-foot front yard setbacks, not the 7 to 8 feet of this project. There are also lot coverage exceptions for garages and covered porches that redefine the lot coverage definitions for the rest of the City. It is an exception when two East Sac houses are just 6 feet from each other as is common in this project. Will those walls even be permitted to have windows in them to satisfy the Building Code? Rear setbacks of 3 to 5 feet are non-existent in East Sac.

98-6

Is the 2.2.4 Density variance of up to 20% per “village” going to change the character of those “villages” so much that they will be unrecognizable? Is this a common PUD guideline? It seems much too open-ended.

98-7

Many of the houses in East Sac neighborhoods, which the project wants to emulate, are not as complicated, cut-up and “interesting” as these guidelines and renderings seem to mandate. I encourage the designers to include some more restrained houses that are not over-articulated in their rooflines, materials, and façade treatments. (See the California Cottage, Craftsman, European Cottage and Colonial Representative Photos) This is particularly true when the rest of the house may be relatively simple because the elevation does not face a public or private street or park which makes for a two-dimensional house with all of the articulation on just one face. The Urban Farmhouse style seems inappropriate for this particular development in this location.

98-8

Another East Sac house characteristic that this project is ignoring is that nearly all of our historical houses have raised-floor construction. I encourage the homebuilders to consider that traditional style of construction for at least some of the development.

98-9

Stucco, while ubiquitous in California, is not necessarily a “high quality material.” It is important that when it is used, that it not be machine applied, because historically stucco homes in East Sac were hand-troweled as they should be for this project. With regard to the use of stone, nothing identifies a faux-house style like the current overuse of stacked, flagstone veneer, which is not a local product. Historically when East Sac homes had stone applied it was always river rock, the most common rock in the Sacramento area. I encourage that alternative or the use of brick instead, another product with deep Sacramento roots. Roofing should be concrete tile to help mitigate railroad and highway noise and vibration.

98-10

The Permitted Uses section is again too open-ended and includes lot types such as zero-lot line and zipper lots that are unfamiliar to East Sac neighborhoods.

98-11

Based on the guidelines for the community center, it sounds like the design that has been displayed for marketing of the project is not necessarily the building that will be built. Is that true? I could not tell at all from reading the guidelines how this structure will appear.

98-12

The City is strongly discouraging the use of London plane trees.

98-13

The project should provide acorn-style lighting that is consistent in height, scale and light intensity with the historic acorn lights of East Sacramento, not the much larger, taller, brighter and glare-inducing black fixtures that have recently been installed adjacent to Mercy hospital. These new fixtures should be in the traditional sage green color.

98-14

The City should discourage the project from having its own permanent monument entrance signage if the desire is truly to have the McKinley Village feel like an extension of East Sac. The new residents should feel like they are part of an integrated community per the General Plan. A monument sign at 40th and C Streets will only emphasize an almost “gated community” feel for the project.

98-15

Permanent walls should be preferred to wood fencing that must be replaced frequently.

98-16

Bulb-outs are typically more dangerous for bicyclists as it pushes them out into vehicular traffic and should be discouraged. Sidewalks should always be separated from streets via landscaped buffers of at least 78” in width.

98-17

The PUD Guidelines should focus not just on the appearance of the project but its sustainable aspects with regard to General Plan policies and goals. Those policies include, but are not limited to, solar access, recycling of construction waste, LID practices, use of earth-friendly materials, exceeding Title 24 energy requirements, etc. If these practices are not strongly incorporated into the Guidelines than builders will be tempted to cut corners to save costs.

98-18

I encourage the Planning staff, Planning Commission and other officials to work with the developers of McKinley Village to tighten up and strengthen the PUD Guidelines for this project to ensure that a consistent, quality product and integrated new neighborhood is built on this important land parcel.

98-19

Sincerely,

David Edwards
532 39th Street
Sacramento, CA

Letter 98: David Edwards, January 9, 2014

The commenter's opinions that address the Planned Unit Design (PUD) Guidelines and do not raise issues regarding the physical effects on the environment and no further response is required. However, the below responses are provided for informational purposes in the interest of full disclosure. The comment letter is forwarded to the decision makers for their consideration. Please see also Appendix M-1 to this Final EIR that includes the most current PUD Guidelines.

98-1: The commenter questions the consistency with the SACOG Blueprint and 2030 General Plan.

See Response to Comment 19-2 regarding SACOG's determination of consistency with its Sustainable Communities Strategy. See Master Response 8 regarding consistency with General Plan policies and other planning documents including the Blueprint.

98-2: The commenter provides its opinion that the proposed project is not a Complete Neighborhood.

The project is an extension of the East Sacramento and Midtown neighborhoods and is connected to those neighborhoods with the extension of 40th Street and A Street. A bicycle/pedestrian underpass is also proposed at Alhambra Boulevard if approved by Union Pacific and the appropriate government agencies. The project provides a range in housing opportunities, from the Parkside Flat condominiums to traditional single-family Park Homes.

As discussed above in Responses to Comments 17-2 through 17-11, the Draft EIR concluded the project would be consistent with the City's 2030 General Plan Land Use goals and policies for new residential development. (DEIR, p. 3-35.) Ultimately, the City Council will decide whether the project is consistent with the General Plan as a whole. The comment is forwarded to the decision makers for their consideration. Please see Master Response 8 regarding consistency with General Plan policies.

98-3: The commenter provides its opinion that the lot sizes, lot types, setbacks and relation of the house to the street are not like the existing, surrounding neighborhood. The commenter asserts that the private drives for the four-unit cluster product has a two-car garage as the primary building façade from the public street.

The proposed project is designed to integrate into the existing community through its neighborhood and home designs. The project includes a mix of housing types that are consistent with and complementary to the homes in adjacent neighborhoods. The proposed project has also been designed to be pedestrian and bicycle friendly and has a density that is between the density of the McKinley Park neighborhood and

Midtown at 11.2 dwelling units per acre (see Chapter 2 of this Final EIR for more information on changes to the project).

The project proposes traditional front-loaded and alley-loaded units which are common lot configurations found in East Sacramento and Midtown neighborhoods. Setbacks from public streets range from approximately 18-feet to 32-feet from face-of-curb to the home (including the landscape strip and sidewalk), similar in scale to setbacks which can be found in the Midtown and McKinley Park/East Sacramento neighborhoods.

Homes are designed such that garages are not the most prominent features of homes, again consistent with what is found in existing adjacent neighborhoods. The two units closest to the public street in the six unit clusters have garages which face the private drive, not the public street; the two rear units have garages which also face the private drive, parallel to the public street and recessed a minimum of 50-feet. The commenter’s opinion is forwarded to the decision makers for their consideration.

- 98-4: The commenter provides its opinion that the project will consist of small front yards, with inadequate room for large trees.

The project is designed with tree planting parkways between the curb and sidewalk to accommodate large street trees. The commenter’s opinion is forwarded to the decision makers for their consideration.

- 98-5: The commenter recommends that, unlike East Sacramento, the yards should not have turf areas, due to maintenance concerns and water demands.

Front yard landscaping has not been designed, and would be reviewed and approved by City staff. All maintenance for front yard and common landscaped areas would be a responsibility of the HOA. The commenter’s recommendation is forwarded to the decision makers for their consideration.

- 98-6: The commenter provides its opinion that the Lot Coverage/Rear- and Side-Setbacks are inconsistent with the surrounding neighborhoods.

The maximum lot coverage of 70% is consistent with the City of Sacramento zoning code. The overall project density is between the density of the McKinley Park and Midtown neighborhoods and the setbacks accommodate the planned density. The commenter’s opinion is forwarded to the decision makers for their consideration.

98-7: Commenter states its opinion that a density variance of up to 20% per “village” would change the character of the village significantly, and that this allowance for 20% variation seems too open-ended.

The most current draft of the PUD Guidelines (included as Appendix M-1 to this Final EIR) document has been revised as it relates to density variance. Per City staff recommendation, and consistent with City code (Title 17, Chapter 17.452.040), density (intensity) may vary up to 10% above or below the approved number of units within each residential village.

98-8: The commenter states its opinion that the architecture proposed is not consistent with the styles included in the PUD Guidelines.

The project entitlements include all the proposed architecture, colors, and materials proposed. The PUD is a companion document to these master architecture entitlements; should architecture change in the future, the proposed changes will be reviewed for compliance with the guidelines set forth in the PUD Guidelines. The commenter’s opinion is forwarded to the decision makers for their consideration.

98-9: The commenter recommends that raised floor construction should be incorporated within the project.

The project does not propose raised floor construction. The commenter’s recommendation is forwarded to the decision makers for their consideration.

98-10: The commenter recommends the use of stucco, stone and brick should be incorporated into the project architecture.

Color and materials will be reviewed as part of the project entitlements. The commenter’s opinion is forwarded to the decision makers for their consideration.

98-11: The commenter asserts that the Permitted Uses section is too open-ended and includes lot types that are unfamiliar to the East Sacramento neighborhood.

The Permitted Uses, Section 2.5, was omitted in the most current draft of the PUD Guidelines based on a recommendation from City staff. Permitted uses within the residential zone of the McKinley Village project are consistent with the City’s zoning code. The commenter’s opinion is forwarded to the decision makers for their consideration.

- 98-12: Commenter asks if the Community Center (recreation center) design, as shown in the PUD Guidelines, is the intended design for the building.

The architecture for the Recreation Center will be approved as part of the current application. The conceptual design included in the PUD Guidelines represents the proposed architecture for the Recreation Center. Any changes to the design in the future would be reviewed for compliance with the guidelines set forth in the PUD Guidelines.

- 98-13: Commenter observes that the City strongly discourages the use of London Plane trees.

The London Plane tree is used throughout the East Sacramento neighborhood and defines the streetscape of the existing historic neighborhood. The McKinley Village neighborhood proposes to use the London Plane tree, as part of the street tree menu proposed in the PUD Guidelines. The London Plane tree creates a streetscape similar to that of East Sacramento, integrating McKinley Village as an extension of the existing neighborhood. The commenter's observation will be forwarded to the decision-makers for their consideration.

- 98-14: The commenter recommends the use of acorn-style street lighting, that is historically consistent with the neighborhood, including the sage green color.

The project intends to match the neighborhood light standards in style, height, and scale. As stated in the Draft EIR, streetlights that meet the City's standard for residential neighborhoods (acorn-style lights) would also be provided along all roadways within the project site as well as along the extension of A Street northwest of the freeway to 28th Street and the extension of 40th Street to C Street. (DEIR, p. 4.10-21.) Additionally, the project is proposing the sage green color for the street lights, consistent with streetlights throughout the City.

- 98-15: The commenter provides its opinion that permanent monument entry signage should be discouraged.

Subdivision signage is permitted in the City's zoning code and is regulated by Title 15, Chapter 15.148.870. A conditional use permit is being requested as part of the current application; a sign permit will be required which includes staff review to confirm consistency with the master entitlement approval and conditions, providing City oversight on proposed signage locations and design. The commenter's opinion is forwarded to the decision makers for their consideration.

- 98-16: Commenter recommends permanent walls, rather than wood fencing to reduce fence maintenance.

Permanent, CMU-type walls will be used in some project locations. However, wood fences, typical of the existing East Sacramento neighborhood will be incorporated in the project as well. The commenter's recommendation will be forwarded to the decision-makers for their consideration.

- 98-17: Commenter provides its opinion that bulb-outs are more dangerous for bicyclists and should be discouraged. Commenter also recommends that sidewalks should be separated from the street via landscaping buffers of at least 78-inches in width.

Bulb-outs are proposed as part of the traffic calming measures in the McKinley Village neighborhood. Bulb-outs slow vehicle traffic, helping create a safe environment for bicyclists and pedestrians. In addition to slowing traffic, bulb-outs help with pedestrian safety by decreasing the crossing distance. The bulb-outs have been supported by both Sacramento Area Bicycle Advocates (SABA) and WALK Sacramento.

The City standard for landscape strips is 6.5-feet (78-inches) from face of curb to sidewalk. Almost all streets within the project meet this City standard. Attached sidewalks are used at a few locations See the tentative subdivision map with street sections appended as of January 15, 2014.

The commenter's opinions and recommendations are forwarded to the decision makers for their consideration.

- 98-18: Commenter asserts the PUD Guidelines should address 2030 General Plan policies regarding sustainability, such as solar access, Title 24 energy requirements, etc.

General Plan Goal LU 2.6 and Policies LU 2.6.1 and LU 2.6.3 promote development that is more compact with a higher density that uses land more efficiently to help reduce the demand for energy and fossil fuels. In addition, Policy LU 2.6.3 encourages new development to be more energy efficient and sustainable. The average density of the project is 11.2 du/ac, which is higher than the 7 du/ac average density in the nearby McKinley Park neighborhood. The increase in density enables the project to develop a broader mix of unit types and creates a neighborhood that is more compact. The project includes energy conservation features with a goal to exceed the state's Title 24 requirements by meeting current Tier 2 Energy Efficiency Standards. Homes would be pre-wired for solar and electric vehicle chargers and would incorporate sustainable materials such as low or zero volatile organic compound (VOC) paint and carpet. Energy required for the recreation center would be offset with on-site solar panels or other energy efficiency technology. The project

has been designed with a higher density which is considered more appropriate near the more urbanized core of the City.

The project site plan and buildings are configured and designed to maximize solar access, to the extent feasible, taking into account the physical limitations and orientation of the project site and the goal of creating tree-lined streets in a grid pattern consistent and compatible with the design and character of nearby existing neighborhoods.

The above notwithstanding, pursuant to CEQA, “[d]etermining whether a project is consistent with general plan policies is left to the lead agency; ‘[i]t is emphatically, not the role of the courts to micromanage...’ such decisions.” (*North Coast Rivers, supra*, 216 Cal.App.4th at pp. 632-633, quoting *Sequoyah Hills, supra*, 23 Cal.App.4th at p. 719 (emphasis in *Sequoyah Hills*)). Thus, the final determination regarding the project’s actual consistency with such plans, including determinations regarding sustainability, will be made by the City Council as the CEQA lead agency. See Master Response 8 regarding consistency with the 2030 General Plan.

98-19: Commenter recommends that the project proponent tighten-up and strengthen PUD Guidelines.

Based on comments received from the Planning and Design Commission, the project applicant has proposed revisions to the PUD Guidelines which strengthens the document. The most recent version of the guidelines as of January 10, 2014, is included as Appendix M-1 to this Final EIR. Additionally, consistent with the PUD Guidelines, the project entitlements include all the architecture for the project. The commenter’s recommendation will be forwarded to the decision-makers for their consideration.

Comment Letter 99

Dear Ms. Allen:

I am one of many Sacramentans who have read and wholly support the McKinley Village project DEIR comments made by Dave Edwards. His thoughtful critique needs to be addressed, point by point, and publicly. We anticipate that the City will exercise its obligation in this matter.

99-1

From my perspective, the City is remiss in even considering a project that will seriously damage nearby neighborhoods. East Sacramento, in particular, is a classic area which embodies many ideals of neighborhood life. Such neighborhoods are the chief attractions of any city. East Sacramento invites appreciation for its shaded streets, old homes of varying design, its many modest one-story houses, its restaurants, boutique stores, parks and easy access to city bus lines. This is a livable place where people can walk or bike to school, church or shops. It is what other areas aspire to become.

99-2

To allow McKinley Village traffic to break through destroys a substantial portion of our hard-won livability. It is absolutely wrong and short-sighted to permit our secondary levee to be ruptured to funnel thousands more cars into our streets. This is not good infill; it's bad outspill. It's the imposition of traffic with vastly increased accident risk and auto exhaust carcinogens. This is not smart growth at all. Smart growth does not harm neighbors. McKinley Village proponents with their suburban aesthetic and slippery relationship with truth, think nothing of inundating our quiet streets with thousands more cars. This degrades a quality of life most of us work hard to protect. Our city councilman and our whole City Council should defend against this kind of invasive deterioration.

99-3

Another issue needs to be examined: the traffic study. It's my understanding that a current Sacramento traffic study measures only the number of times a driver is forced to pause. This is an entirely car-centric procedure. It shouldn't be called a Traffic Study at all. It should be called a Driver Convenience Study. A traffic study that ignores the needs and health of people who live on the trafficked streets is absurdly deficient. It allows analysts paid by the developer to designate traffic impact as minimal when it is anything but. If a doctor giving a physical exam reviewed only one test result, the patient could contact malpractice attorneys immediately. Yet this is exactly how traffic impact studies work. Residents who live in trafficked areas need to be part of the study. Lung and heart exposure to auto exhaust needs to be factored in. Accidents rates need to be studied. Drunk driving, road rage, inept maneuvering—all these things are impacts of traffic and all need to be included in a traffic impact study. The McKinley Village project allowed the developer to buy a narrow, phony "study" that assessed only driver convenience and then concluded "minimal traffic impact" would be visited upon East Sacramento. This is a farce and an outrageous falsehood.

99-4
99-5

I hope these matters will be addressed.

Thank you for your attention,

Pat Lynch
926 43rd St.
Sacramento, 95819

Letter 99: Pat Lynch, January 10, 2014

99-1: The commenter refers to comments on the Draft EIR made by Dave Edwards and requests consideration of his comments.

Please see Responses to Comment Letter 98 from Dave Edwards. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

99-2: The commenter expresses the opinion that the project would damage nearby neighborhoods including East Sacramento.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

99-3: The commenter expresses the opinion that the project will destroy the livability of nearby areas and provides reasons for opposing the project, including traffic, lack of smart growth, and overall deterioration of the area.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

99-4: The commenter states that "a current Sacramento traffic study measures only the number of times a driver is forced to pause."

As stated on page 4.9-1 of the Draft EIR, the transportation analysis contained in Section 4.9 "examines the roadway, transit, bicycle, pedestrian, and construction components of the overall transportation system" under four separate scenarios. For the Existing Plus Project scenario, significant impacts as defined by CEQA are identified, and mitigation measures are identified to offset the impacts for all components of the transportation system.

99-5: The commenter offers the opinion that the traffic study is not sufficient and ignores critical issues such as health risks and accident rates.

Please refer to Master Response 5, which provides additional information on the scope of the traffic study and Master Response 7 that addresses the health risk assessment prepared for the project. See also Responses to Comments 22-5, 31-56 and 31-57 that address accident risks.

Comment Letter 100

January 10, 2014

Ms. Dana Allen, Associate Planner
Community Development Department
City of Sacramento
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: Comments on the DEIR for McKinley Village

Dear Ms. Allen:

Thank you for the opportunity to comment on the DEIR for the proposed McKinley Village project. I am a 15-year resident of midtown Sacramento and a founding member of Friends of Sutter’s Landing Park. As such, I have serious concerns about the project and the DEIR.

The developers want their project; SACOG, the City and its politicians want their “infill” growth; labor and commerce want the business. As a result, often residents of this city feel frustrated and that their voices are ignored. I know I have felt such many times in dealing with the powers that be in our city. I hope this will not be the case with this project because of the vast negative impacts it will have, as proposed, on our neighborhood (a historic cozy residential neighborhood) and Sutter’s Landing Park and the wildlife that reside/forage there.

100-1

As a founding member of FOSL, I worked many hours with the City to secure a \$1.5 million River Parkways grant for Sutter’s Landing Park. This grant will allow us to restore badly needed wildlife habitat to the Park, through plantings of native plants. FOSL’s vision is to expand upon this to other areas of the Park, to create more open space for wildlife and the residents of our central city to access and enjoy; therefore adding to the quality of life within our city’s core.

Sacramento residents made it clear they want the City to prioritize natural parklands when the City surveyed voters. According to the City’s own report:

“The top priority (for voters) was large habitat areas for walking and hiking, where interpretive and educational programs can take place...Second priority is to develop parklands and areas along the American Riverbank.” (2006 public opinion survey commissioned by the City of Sacramento for the City’s Parks and Recreation Master Plan)

The City currently has very few park lands that meet these needs along the south side of the American River Parkway. Sutter’s Landing Park provides the only feasible area along the south side of the river where the City can add park lands that meet the top two priorities expressed by the City’s residents.

I am concerned that the DEIR downplays the projects impact on Sutter’s Landing Park. This project will negatively impact the wildlife, through the destruction of habitat and foraging area, and the destruction of a wildlife corridor that now exists throughout the project area and Sutter’s Landing Park. If you look at an aerial view of the area, you can see the important connection for wildlife of these two areas of open land. The DEIR does not appropriately address this.

100-2

Threatened species such as Swainson’s hawks have been documented foraging at both Sutter’s Landing and at the proposed McKinley Village site. They even nest adjacent to the proposed site because of the rich foraging there. Is it smart infill when wildlife values and open space values are degraded because of a development? I think not. Smart infill is when values for the environment are respected and protected.

↑
100-2
Cont.

All mitigation must occur on-site or directly adjacent to the Park, not “within 10 miles of the project site” as is currently proposed in the DEIR. There are opportunities to mitigate the direct and indirect losses to Sutter’s Landing Park in ways that would enhance the remaining natural values of the Park. Some actions that could be taken: purchase and restore adjacent private parcels, remove the skateboard park and corp. yard to another area, restore more of the Park to its natural state.

100-3

The DEIR goes to some length to justify the proposed project over other alternatives. However, it leaves out one very important alternative which is that of restoring the property to its natural values as part of Sutter’s Landing Park. According to Councilman Steve Cohn, the city was interested in purchasing and annexing the proposed project site to the Park quite recently. The proposed project site could be restored for wildlife with space for active recreation, reserving most lands in the current Park area for restoration to their natural values. The DEIR needs to consider the alternative of annexing the proposed McKinley Village site to Sutter’s Landing Park. This use of the proposed site is clearly the superior environmental alternative.

100-4

Another concern I have is with the ingress and egress at 28th Street and the A Street Bridge. This is an unacceptable design, as it causes safety issues for park goers at Sutter’s Landing Park and is adjacent to the mound at Sutter’s Landing, which is an important habitat and foraging area at the Park. As is, the entrance to Sutter’s Landing is not ADA compliant. It is already a potentially dangerous entrance to the Park because of the steep grade, the UPRR crossing (with its numerous freight trains that frequently stop across the entrance to the Park), City vehicles (including heavy equipment) that use the entrance to access the City Corp. Yard, and the large trucks that use Bell Marine. Many users of the Park cycle or walk there and it is an accident waiting to happen. What will happen when an estimated 1880 additional vehicles use this entrance to enter and exit McKinley Village? I am deeply concerned about this. It makes no sense to me at all. If this project is to be built, the western ingress/egress should be at Alhambra. That is the only logical placement of it. The developer says it is infeasible, but I beg to differ. What is infeasible is putting Sutter’s Landing Park goers at more risk because of the additional number of vehicles the project would add to the entrance of the Park, so the developer can save money. The A Street Bridge should be a pedestrian/bicycle-only bridge, allowing the residents of McKinley Village to access the Park by bike and on foot.

100-5

100-6

There are well over 20 references in the EIR that describe the proposed pedestrian/bicycle connection (2-45) from the project to Alhambra Boulevard while immediately adding the qualifier “if approved by UPRR.” Given that so much of this project’s supposed environmental benefits are contingent on that connection, will denial of this tunnel by UPRR be grounds for denying the project? Why is the tunnel not being built in Phase 1? I urge the City to require that tunnel to be built in Phase 1 and to make it the major vehicular ingress/egress on the west side of the project, and turning the A Street Bridge into a bicycle/pedestrian-only crossing.

100-7

The arguments against the Alhambra Boulevard vehicular connection focus on negative issues while ignoring the benefits. If this is used as a 2nd connection while also connecting as planned at 40th Street, then the emergency access issue is solved, as is the train issue at 28th Street. The A Street Bridge could still be maintained as a bike/pedestrian connection. The arguments against the Alhambra vehicular connection seem to come down to cost, which does not make the connection “infeasible,” but it does make it inconvenient for the developer. Inconvenience should not trump smart planning. Smart growth and smart infill should start with smart planning. The City should require this of this project and every other “smart infill” project that is proposed. Don’t give developers free reign at the expense of the livability of our city, the historic neighborhoods of our central city and the small bit of open space we are quickly losing in the name of “smart infill”.

100-8

I have concerns about the traffic that will be added to our already over-burdened streets in midtown because of the ingress/egress being at 28th Street. C Street is already heavily travelled, as are 28th and E Streets. 1880 more vehicles, in commuter mode, will not enhance our neighborhoods in the least, but will degrade their livability. The project developers, time and again, have told us that, as urban dwellers, we should expect a lot of vehicular traffic. That is not true. We live in the neighborhood we do because of the lovely historic houses, the old-fashioned neighborhood feel of it, the quietness of it, and the convenient location to the commercial corridor of midtown and the sanctuary of the American River Parkway at Sutter’s Landing Park.

100-9

“Smart infill” should not degrade that quality of life that we have. That is not what “smart infill” is about. It’s supposed to enhance the already established neighborhoods around it. McKinley Village fails to do this, as proposed. I urge the City to require more of this project, to stand up for the residents in the surrounding established neighborhoods, to protect the fragile ribbon of natural environment and wildlife in our urban core, and require McKinley Village to be a “smart” project. If not that, then the DEIR needs to consider the alternative of annexing that property to Sutter’s Landing Park to enhance the natural values within our urban core.

100-10

Peace,

Lori Ward

Letter 100: Lori Ward, January 10, 2014

100-1: The commenter offers the opinion that residents often feel they are being ignored and hopes this will not be the case for this project because of the potential for negative impacts.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

100-2: The commenter expresses concern that the Draft EIR downplays the project's impact on Sutter's Landing Park, specifically impacts on wildlife such as the Swainson's hawks.

Please see Letter 11, Friends of the Swainson's Hawk and Letter 23, Friends of Sutter's Landing Park for information pertaining to impacts on parks and biological resources, respectively.

100-3: The commenter offers the opinion that there are opportunities to mitigate losses to Sutter's Landing Park and provides some examples of potential improvements.

As described in the Draft EIR, no impacts to Sutter's Landing Park have been identified that would require mitigation. No additional analysis or mitigation is required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

100-4: The commenter states that the Draft EIR needs to consider the alternative of annexing the project site to Sutter's Landing Park and restoring the property to its natural state as part of the Park.

As described in Chapter 5 of the Draft EIR, Section 15126.6(c) of the CEQA Guidelines states that, "[t]he range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects" identified under the proposed project. The Draft EIR is not required to consider the suggested alternative since it does not meet the project's objectives.

100-5: The commenter expresses concern regarding the access at 28th Street and the A Street Bridge, stating that the design is unacceptable.

The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

100-6: The commenter states that the western access should be from Alhambra and suggests that the A Street Bridge be a pedestrian/bicycle bridge only to allow access to Sutter's Landing Park.

Please see Master Response 1 for additional information regarding a bridge/roadway underpass at Alhambra Boulevard. The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

100-7: The commenter requests that the City require the proposed pedestrian/bicycle tunnel at Alhambra to be built in Phase 1 and make it the major vehicular access on the west side of the project site. The commenter also asks if Union Pacific denies construction of the underpass would this warrant denial of the project.

Please see Master Response 1 for additional information regarding a bridge/roadway underpass at Alhambra Boulevard and Response to Comment 19-10 that addresses if the underpass were not approved by Union Pacific. The comment relates to issues that are relevant to the planning process for the project. Please refer to the staff report. No further response is required.

100-8: The commenter reiterates her opinion that the Alhambra vehicle access should be provided despite the cost and requests that the City require smart planning.

Please see Master Response 1 for additional information regarding a bridge/roadway underpass at Alhambra Boulevard. The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

100-9: The commenter expresses concern regarding traffic and describes the reasons for living in her neighborhood.

Please refer to Section 4.9 of the Draft EIR for the discussion of potential traffic impacts and Master Response 10 regarding neighborhood livability. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

100-10: The commenter requests that the City require more of the project in terms of protecting the surrounding neighborhoods. The commenter then reiterates the need to consider the annexation of the project site to Sutter's Landing Park as an alternative to the project.

Please see Response to Comment 100-4 and Master Response 10 regarding neighborhood livability in regards to traffic. The comment relates to issues that are

relevant to the planning process for the project. Please refer to the staff report. No further response is required.

Comment Letter 101

Dana Allen

From: Doug Desalles <ddesalles@gmail.com>
Sent: Friday, January 10, 2014 11:43 AM
To: Dana Allen
Subject: Fwd: McVillage DEIR

Follow Up Flag: Follow up
Flag Status: Flagged

Douglas DeSalles MD
107 San Antonio Way
Sacramento, 95819
916.452.3357

Re: Project PO8-806, McKinley Village

Ms Allen,

I have several questions/comments about this project.

1. The DEIR refers to mitigation measures related to the loss of Swainson's hawk's foraging habitat. The DEIR incorrectly notes that there is very little suitable foraging habitat within 5 miles of the project. This bird nests in my Monterey pine. Having picked up many dead small animals which fell from the nest after being returned to feed the chicks I am certain that ground-based rodents are collected by the hawk from nearby fields - including the site of the project itself.

101-1

The loss of this open land seems certain to impact the feeding habits of this threatened species and despite the assertion that "compensation" for this habitat loss will be made I want to know what will be done when the hawks leave the current nesting site in my tree. How will citizens be able to check of on the supposed monitoring of the bird population in the wake of the project? And what recourse will be have if, as expected, the birds leave the area entirely. And what does "acquisition and/or preservation of similar or better habitat" mean in practical terms? Does the developer get a pass if he claims he is "setting aside" other land that he will not develop also?

101-2

2. In the wake of a future flood on the American River how will the tunnel holes be closed to protect the rest of East Sacramento from rising waters if the tunnel itself is the only evacuation route for the people living in the new development? Will this breach in our secondary levee system not create a significant increase in risks to the rest of the neighborhood?

101-3

3. Given that the Theodore Judah school is already so crowded that neighbors are not guaranteed that their children can attend there how will the new resident's children be accommodated? Will these kids not require additional bus/car traffic to reach other schools in the area?

101-4

4. Why are the developer's costs being put above the interests of current neighbors? Prior plans for this development always included the logical entrance points of Lanatt St and Alhambra Blvd. By routing traffic through the developers property to abut C street between Tivoli and 40th St (and using the small freeway overpass to join B st) Mr Angelides evidently saves a lot of money. But the traffic of smaller streets will increase dramatically whether the city judges the impact "significant" or not. A flow going off Lanatt onto Elvas

101-5

- or C (or directly onto Alhambra) from the development is a more logical augmentation of normal traffic. Current residents are being asked to absorb costs of increased noise and traffic to simply save Angelides money. ↑ 101-5
| Cont.
 - 5. The DEIR estimates that 48% of the traffic in and out of the development will go thru the new road in the cannery business park to a stoplight at C st. Was any compensation made for the fact that people leaving and entering the western entrance of this development must cross two busy rail lines? After being blocked by a train at this entrance will they not adopt the eastern entrance as their favored way in or out? And what recourse will neighbors have if it turns out that a much higher percentage of cars are dumped onto C St than estimated. | 101-6
 - 6. DEIRs are paid for by developers and always have a tremendous bias in favor of those who wish their projects to go forward. The city appears to be assisting Mr Angelides in claims that traffic impacts will be "less than significant". What recourse do citizens have if traffic increases dramatically down what today are quiet streets. What independent sources have been consulted to check whether the numerous assumptions being made in the traffic models are valid? | 101-7
 - 7. Why is the developer being allowed to build homes without ANY supporting commercial development? As it stands everyone in the McVillage will have to shop at Compton's and buy their coffee at the Queen of Tarts by leaving the development. Meanwhile current residents will have NO new options for shopping made available. Why is this plan being given approval in light of this negative impact? | 101-8
 - 8. The developer touts the new swimming pool which will be a part of the development. Will this not be open only to McVillage residents whose HOA payments maintain it? | 101-9
 - 9. Why does the traffic study not address the negative impact to residents at the north end of East Sacramento of a stoplight which will pile up cars behind red lights? | 101-10
 - 10. Why are current DEIR traffic estimates so much lower than one done in prior evaluations? | 101-11
- Doug DeSalles

Letter 101: Doug DeSalles, January 10, 2014

- 101-1: The commenter expresses concerns that the Draft EIR incorrectly characterizes the available Swainson's hawk foraging habitat within 5-miles of the project site as "limited."

Please refer to Figure 4.2-4 of the Draft EIR for a depiction of the foraging habitat within 1, 3, 5, and 10 miles of the project site. As can be seen from this figure, while some foraging habitat does indeed occur within 5 miles of the site, the vast majority of available foraging habitat lies much further to the west. Suitable land within 5 miles of the project site would not be feasible to acquire because it is within an urbanized area of the City and slated for development. See Response to Comment 11-4 with respect to foraging habitat within 10 miles of the project site.

- 101-2: The commenter expresses concerns about the loss of foraging habitat for Swainson's hawks and how this loss will affect the currently active nest to the south of the site. The comment also questions the validity of the proposed mitigation for loss of Swainson's hawk foraging habitat proposed in the Draft EIR.

Please see Responses to Comments 11-3 and 11-4, and Responses to Comments 33-15 and 33-17, with respect to impacts on Swainson's hawk foraging habitat. See Response to Comment 11-5 with respect to the location and value of proposed mitigation for the loss of Swainson's hawk foraging habitat.

- 101-3: The commenter questions how the tunnel in the secondary levee system will be closed in the event of a future flood of the American River.

As described in Chapter 2, Project Description (DEIR, pp. 2-45 and 46) of the Draft EIR, "flood gates or other flood control structures acceptable to the City would be installed at both the vehicle and, if approved by UPRR and the appropriate government agencies, the bicycle/pedestrian underpass as a secondary flood control device in the event of an American River levee failure". The risks of flooding are addressed in Section 4.5, Hydrology, Water Quality and Drainage under Impact 4.5-4, which states that although "the proposed project is located outside of the 100-year flood hazard zone, it could still be subject to residual flood hazards, such as in the event of a dam failure or levee breach. As discussed in the environmental setting, the City and County of Sacramento have prepared detailed maps showing hypothetical levee breaks, inundation levels, the time it would take for waters to rise in affected neighborhoods, and rescue and evacuation zones". Besides current SAFCA and the U.S. Bureau of Reclamation efforts to provide a 200-year level of protection, the City of Sacramento has also conducted considerable emergency planning work in recognition of the significant flood hazards it faces." (DEIR, pp. 4.5-41, 4.5-45.)

101-4: The commenter states that C Street between 30th and 33rd Streets is incorrectly classified as a “major collector.”

Please see Response to Comment 96-4.

101-5: The commenter expresses his concerns regarding access points to the project and the financial reasons behind the proposed traffic routing.

Please refer to Master Response 1 for additional information regarding a bridge/roadway underpass at Alhambra Boulevard. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

101-6: The commenter questions the Draft EIR’s estimate that 48% of project traffic will utilize the new road (40th Street) through the Cannery Business Park and stoplight at C Street since this route would require crossing two rail lines. The commenter also wonders what recourse neighbors will have should a higher percentage of cars use C Street than estimated.

It is unclear from the comment what two rail lines project traffic would be required to cross. The extension of 40th Street would be via an underpass through the UPRR embankment which would not require an at-grade crossing and there is no at-grade crossing at Lanatt Street. Please see also Master Response 9 that addresses the at-grade crossing at 28th Street.

The trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43) shows the trip distribution estimates for project trips reveal a relatively balanced utilization of the A Street access (52%) and the 40th Street access (48%). See also Master Response 9 for more information regarding trip distribution estimates.

As documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices if traffic volumes create concerns in the future.

101-7: The commenter questions the validity of the traffic models used for the Draft EIR analysis, and asks what recourse citizens have in the event of dramatic traffic increases.

The methodology used in the traffic study is explained in detail on page 4.9-21 of the Draft EIR. Intersections were analyzed using procedures and methodologies contained in the Highway Capacity Manual. Roadway segment capacity utilization was evaluated using daily traffic volume LOS thresholds described in the City of

Sacramento General Plan. For traffic forecasts, the most recent version of the SACMET model developed and maintained by SACOG was used to forecast cumulative traffic volumes (DEIR, p. 4.9-63).

As documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices.

101-8: The commenter questions why the developer is being allowed to build homes without any commercial development.

Please see Response to Comment 18-53 that addresses this concern. The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

101-9: The commenter questions whose HOA payments will maintain the proposed swimming pool.

The project’s homeowners association (HOA) will collect monthly payments from project residents to be used, in part, to maintain the recreation center and pool as well as landscaping in public spaces throughout the project. The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

101-10: The commenter questions the negative impact “of a stoplight which will pile up cars behind red lights.”

The commenter is presumably referring to Mitigation Measure 4.9-6(c). While no project specific impacts were identified to the McKinley Boulevard/33rd Street intersection, the Draft EIR analysis found that this location would be significantly impacted under Cumulative Plus Project conditions during both the AM and PM peak hours (DEIR, p. 4.9-76). Mitigation Measure 4.9-6(c) included in the Draft EIR includes a fair share contribution toward the installation of a traffic signal at the McKinley Boulevard/33rd Street intersection, which would improve peak hour operations to LOS A during both peak hours (DEIR, 4.9-90). The installation of the traffic signal shall not be a requirement for this project, but it may be installed when warranted subject to further future evaluations.

101-11: The commenter questions why traffic estimates in the Draft EIR are lower than in previous evaluations.

It is not clear from the comment what other traffic estimates are referenced. The traffic study prepared for this project is the most current traffic study and evaluates traffic associated with this project. Any prior traffic studies that were done were for different projects which would naturally result in different traffic estimates.

Comment Letter 102

January 10, 2014

Ms. Dana Allen, Associate Planner
 Community Development Department
 City of Sacramento
 300 Richards Blvd., 3rd Floor
 Sacramento, CA 95811

Re: Comments regarding the DEIR for the McKinley Village Project

Dear Ms. Allen:

As a resident of midtown, I am concerned about the impacts of the proposed McKinley Village project on my neighborhood and on our nearby treasure, Sutter’s Landing Park. The DEIR did an inadequate job in addressing the impacts to these areas. Since many of my neighbors and local organizations have already covered most of the major issues, I will just enumerate a few major points.

- The increased traffic from the proposed 28th St access will lower our quality of life, make walking and bicycling in the neighborhood more dangerous, and is unnecessary. The developer should be required to create an access point at Alhambra, the only logical place for it. If the developer can’t afford to do this, then the project is not feasible and should not be approved. 102-1
- The traffic analyses in the DEIR were inadequate. They did not even look at the increased traffic flow on F & G Streets and underestimated the traffic and safety issues for C St. 102-2
- The cumulative impacts of the development to Sutter’s Landing Park, both direct and indirect, were not adequately discussed. These would be substantial and significant—including traffic, increased use, loss of park land, impacts to wildlife, loss of habitat, and others—and need to be fully identified and mitigated. All mitigation should be either onsite the Park or directly adjacent, not “within 10 miles” as is planned in the DEIR. 102-3
- An alternative option to annex the project site to Sutter’s Landing Park was omitted from the DEIR and should be added. 102-4
- The proposed project is not “smart growth” as it isn’t transit-oriented, high density, multiuse, or bicycle/pedestrian friendly. Instead it is a car-centric suburban neighborhood in the midst of the city. The project should be required to take steps to lower carbon emissions and create a green development, such as put in the ped/bicycle tunnel in the first phase, add solar panels on all homes, and other steps to shrink the carbon footprint of the development. 102-5
- The development dedicates only 2.4 acres to parkland, less than that currently required by the City, which will put a greater burden on the adjacent Sutter’s Landing Park and needs to be mitigated. 102-6
- The DEIR did not address many of the concerns presented by the public in response to the NOP. It should be revised and redistributed to address those omissions. 102-7

Sincerely,



Laurie Litman
 301 27th St, Sacramento

Letter 102: Laurie Litman, January 10, 2014

102-1: The commenter expresses concerns regarding increased traffic from the 28th Street access and suggests that the developer be required to provide an access point at Alhambra Boulevard.

Please refer to Master Response 1 for additional information regarding a bridge/roadway underpass at Alhambra Boulevard.

102-2: The commenter states the traffic analysis was inadequate because traffic on F and G Streets was not evaluated and it underestimates traffic and safety on C Street.

Please see Master Response 5 regarding F and G streets and Responses to Comments 91-1 and 91-2 regarding analysis of C Street.

102-3: The comment suggests that because Sutter's Landing Park is adjacent to the project site and because wildlife do not recognize human property boundaries that wildlife that use both sites as one large open space area and will be adversely impacted. The comment further states that all mitigation must occur on-site or adjacent to Sutter's Landing Park.

Please refer to Letter 23, Friends of Sutter's Landing Park and Responses to Comments 33-1 and 33-19 with respect to the project's potential to be part of a wildlife movement corridor and Response to Comment 11-5.

102-4: The commenter asserts than "An alternative option to annex the project site to Sutter's Landing Park was omitted from the Draft EIR and should be added".

As described in Chapter 5 of the Draft EIR, Section 15126.6(c) of the CEQA Guidelines states that, "[t]he range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects" identified under the proposed project. The Draft EIR is not required to consider the suggested alternative since it does not meet the project's objectives.

102-5: The commenter states an opinion that the project is not smart growth and should be required to take steps to reduce its carbon footprint.

Section 4.1, Air Quality and Climate Change address the project's contribution to greenhouse gas emissions and describes how the project is consistent with the City's Climate Action Plan. The comment relates to issues that are relevant to the planning process for the project, please refer to the staff report. No further response is required.

102-6: The commenter states that the development's dedication of 2.4 acres of parkland is deficient and impacts to Sutter's Landing Park need to be mitigated.

Please see Response to Comment 14-2 that addresses park issues and Response to Comment 102-3.

102-7: The commenter states that the Draft EIR failed to address concerns received in response to the NOP and requests that the Draft EIR be revised and redistributed to address those concerns.

A summary of the comments received on the NOP is included in the Executive Summary of the Draft EIR, as well as in the introduction of each technical section. The comments received are considered throughout the Draft EIR in accordance with the CEQA Guidelines.

Comment Letter 103

Dana Allen

From: mmarsh@sco.ca.gov
Sent: Friday, January 10, 2014 1:11 PM
To: Dana Allen
Subject: Proposed McKinley Village Residential Development - Environmental Impact Report

I am very concerned about the negative impact the proposed McKinley Village Residential Development will have for the residents, workers and business owners in East Sacramento.

The traffic analysis in the draft environmental impact report suggests the impacts of added traffic are fairly minimal. Define fairly minimal for the residents, labor force and business owners in East Sac! I have not heard of any plans to include public transportation in the proposed McKinley Development.

103-1

I grew up in East Sac, live in East Sac and work in East Sac. I have witnessed the major increase in traffic on Alhambra Blvd., Folsom Blvd., J Street, H Street, C Street and Elvas Ave. over the past couple of years. There is a direct correlation between our congested freeway system and the increased traffic on thoroughfares through East Sac. Since the change in the lanes on J Street and Folsom Blvd., there is even more traffic on H St., and C St/Elvas Ave.

103-2

I live on 41st & A Street and work at the Cannery Business Park on C Street. I witness the traffic situation on a daily basis. One of the entrances to the proposed development is between the main entrance for cars to access Mercy Cancer Care & Imaging Center, Wood Rodgers, the State Controller's Office and a Vending business. There is already congestion in this area without adding the access to the proposed development. The idea of closing the E Street freeway ramp makes no sense - the area is already congested and drivers will have to travel further in town to access the freeway. When the Sutter Memorial Hospital site is redeveloped, this will also add to the congestion in the area. As a resident of East Sac, I don't think we need to saturate the area with both developments.

103-3

103-4

The development in our city should be considerate of the environment, our citizens and future generations of Sacramentans instead of being primarily focused on making a profit and the current trend of eliminating green space for the purpose of infill development.

103-5

Sacramento is not experiencing a housing need - we have many areas that would be better suited for growth and our environment that would not increase traffic and would also promote travel by foot or bicycle. Let's focus on making the downtown area viable again instead allowing projects that will harm the integrity of our neighborhoods.

103-6

Thanks for your consideration,

Mallory Marsh
4116 A Street
Sacramento, CA 95819

Why is it necessary to develop all the green space in Sacramento?
Mallory Marsh, State Controller's Office
Division of Accounting and Reporting - Tax Administration Section
☎: (Direct Dial) 916.322.6142 | 📠: (E-Fax) 916.323.3193. | ✉: mmarsh@sco.ca.gov

Letter 103: Mallory Marsh, January 10, 2014

- 103-1: The commenter requests a definition of “fairly minimal” traffic impacts for East Sacramento and indicates she has not heard of any plans to include transit as part of the project.

Refer to Section 4.9 of the Draft EIR for the full discussion of traffic impacts. CEQA does not require the definition of impacts beyond what is provided in the Draft EIR. The proposed project does not include a bus stop or transit facilities as part of the project. Please see Responses to Comments 17-6 and 17-32.

- 103-2: The commenter describes her experience with traffic in East Sacramento.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 103-3: The commenter continues to describe her experience with traffic in the project area.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 103-4: The commenter offers her opinion that closing the E Street freeway ramp does not make sense as the area is already congested and states that the Sutter Memorial Hospital development and this project will add to traffic congestion.

The cumulative impact analysis prepared for traffic included growth projections for development within the City, which included the Sutter Park project. Additionally, traffic forecasts used in the analysis assumed the E Street Ramp Closure which is a project proposed by Caltrans.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 103-5: The commenter expresses the opinion that “development in our city should be more considerate of the environment.”

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

103-6: The commenter states that Sacramento does not need additional housing and suggests focusing on improving the downtown area.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 104

Dana Allen

From: Idemas@demaslaw.com
Sent: Friday, January 10, 2014 1:37 PM
To: Dana Allen
Subject: McKinley Village project Section 9 - Transportation and Circulation DEIR

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, California 95811

McKinley Village project Section 9 - Transportation and Circulation

I am submitting the following comments on the Draft Environmental Impact Statement for the McKinley Village project. My comments are directed to Section 9 - Transportation and Circulation.

The recording of the traffic in the affected is seriously flawed because the count of vehicle traffic and the direction of the travel paths were limited to traffic complying with traffic laws. I could not find in the traffic records any evidence that vehicles that entered streets in violation of traffic calming ordinances were counted or their actual illegal travel paths being indicated in any way.

104-1

I live near the intersection of 28th and E Streets. A long standing traffic barrier at the intersection is intended to prevent non-emergency or otherwise essential vehicles from entering E street in the westerly direction. City ordinance makes it unlawful to do so. The barrier is ineffective, and the threat of a fine if violated is equally ineffective. At times (night and day) there is more traffic entering E Street at the barrier illegally than there is passing out of E Street legally.

104-2

Those passing around the barrier are very often distracted and are focused on avoiding a police presence. This presents a serious danger to other vehicles, and pedestrians and particularly to bicyclists on this heavily traveled bike path. My neighbors and I have repeatedly complained to Sacramento city officials of the lack of enforcement of the traffic calming ordinance at this intersection. I have made complaints to Council Members Kohn and Hansen and the former city police chief. None of us have any meaningful responses or action.

104-3

Traffic calming ordinances are not enforced because it is a cost to the city to enforce them and the city does not receive any revenue for convictions. The traffic study should have also analyzed the effect of non-enforcement of the traffic calming ordinance.

104-4

I observed one of the traffic counts done under the study for the 28th and E Street intersection. I spoke to the person who was observing the traffic, counting the vehicles and recording their travel paths. I asked what instructions were given to record the prohibited travel around the barrier. The response was that only the permitted travel was to be recorded. This strongly suggests that some vehicles were either not counted or that they were counted but the directions they traveled were recorded as to incorrectly indicate lawful travel. For the E and 28th Streets intersections, hundreds of vehicles would have been ignored or incorrectly recorded.

104-5

While traffic lights and stop signs are intended to actually control traffic, the traffic study candidly states that the traffic calming controls are only intended to "discourage" prohibited travel. The substantial increase of traffic at this intersection can only exacerbate the problem with the concomitant elevated danger.

104-6

There is no reason to believe that the flawed study methods for the intersection of 28thth Street and E Streets were not repeated for the other intersections and travel corridors of the study.

104-7

It is submitted that the project should not go forward without the completion of a traffic study that records actual travel and also reflects the effect of human nature on projected travel patterns.

104-8

Louis Demas
2713 E Street
Sacramento, CA 95816

mail2web.com – What can On Demand Business Solutions do for you?
<http://link.mail2web.com/Business/SharePoint>

Letter 104: Lois Demas, January 10, 2014

104-1: The commenter states that the traffic counts are flawed because they only consider traffic that was complying with traffic laws, and not cars that were driving through prohibited areas.

The Draft EIR is not required to consider illegal activities in the evaluation of impacts. This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

104-2: The commenter describes a specific barrier that is ineffective in preventing traffic from entering E Street.

This comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

104-3: The commenter continues to describe the way in which drivers avoid the barrier, which endangers other drivers, pedestrians, and bicyclists.

This comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

104-4: The commenter states that the City doesn't enforce traffic calming ordinances and suggests that this "non-enforcement" should have been analyzed in the traffic study for the Draft EIR.

The Draft EIR is not required to consider illegal activities in the evaluation of impacts. This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

104-5: The commenter reiterates concerns raised in comment 104-1 regarding the traffic counts taken for the project and the lack of counts taken of vehicles driving through the barrier.

Please see Master Response 3 that addresses traffic counts and Response to Comment 104-1.

104-6: The commenter cites a statement in the traffic study, “that traffic calming controls are only intended to “discourage” prohibited travel” and states that the increase in traffic will only exacerbate the problem at this intersection.

This comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

104-7: The commenter offers the opinion that the flawed methods used at the intersection of 28th Street and E Street were likely used in other areas of the study.

This comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

104-8: The commenter expresses the opinion that the project should not move forward without a traffic study that reflects actual travel patterns.

The Draft EIR is not required to consider illegal activities in the evaluation of impacts. This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 105

From: JAN ELLEN REIN [mailto:janny007@sbcglobal.net]
Sent: Friday, January 10, 2014 1:48 PM
To: Dana Allen
Subject: Comments re DEIR for McKinley Village project

Dana Allen,
Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

January 10, 2014 at 1:45PM

Dear Ms. Allen.

Below are my comments on the Draft Environmental Impact Report for the McKinley Village Project. Please acknowledge timely receipt of these comments.

Thank you,
Jan Ellen Rein
Midtown Resident

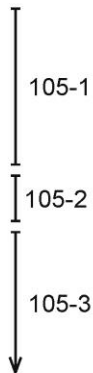
COMMENTS RE DEIR FOR McKINLEY VILLAGE PROJECT

General Comments

We the people have the right to expect a dispassionate evaluation of any proposed project, including the proposed McKinley Village project. Yet the DEIR gives the distinct impression that its drafters decided to support the project before they even began their evaluation and then conducted their evaluation by cherry picking for assumptions and data that would support the project. The DEIR itself seems designed to justify the project by massaging the data and leaving out inconvenient concerns and facts, to make it look like the project will not have significant harmful impacts on future project residents and those residents already living in the adjacent neighborhoods of East Sacramento and Midtown.

For example, the DEIR consistently measures distances from the edge of the project when measuring from the center is clearly more realistic.

Planning in this city has been dominated by developers and the McKinley project is no exception. Citizens like me sense that city decision makers are captured by and serve only the big money interests. City decision makers seem to view the town hall meetings and DEIR evaluation as just a matter of going through the motions of evaluating the project and seeking community input when, in reality, the power elites have already decided that this is a done deal. To the power elites, the so called evaluation and town meetings are just



obstacles to be overcome on the road to building the project. The public already distrusts government. All this breeds even more public cynicism and distrust of government.

↑ 105-3
Cont.

The only justification I hear for this project is that it will somehow reduce urban sprawl. Yet, no one has explained how the McKinley Village project will reduce suburban sprawl by 328 housing units. Judging by recent county and city planning decisions, suburban sprawl will increase just as much as it would with or without this project anyway. All this isolated suburban type community bedroom project does is bring urban sprawl into the city.

105-4

Flawed mitigation analysis

The DEIR consistently finds that the impacts from air pollution, increased traffic, etc are significant but then, through the magic of makeweight mitigation, finds that they will be insignificant. But the DEIR's stated mitigating factors and mitigation measures are based on inappropriately rosy assumptions, speculation and leaps of faith that bear scant relation to reality or to the lived experience of actual human beings who reside in the nearby affected neighborhoods, already burdened by too much traffic and too much air pollution.

105-5

Example 1: In Section 4.1 on "Air Quality and Climate Change", the report states : Regarding assessing future TAC emissions and potential health risks, while traffic on a given roadway would increase over time, motor vehicle emissions tend to decrease over time due to increasingly stringent state and federal air quality regulations and replacement of older vehicles." Really? This is a super stretch based on pure speculation. How do the DEIR authors know what kinds of legislation will be passed in the future or how such legislation would affect the particular neighborhoods in question--the project site and the adjacent neighborhoods of East Sacramento and Midtown.

105-6

Example 2: In discussing the danger of flooding, the DEIR executive summary states that "[t]he project site is located in an area designated as having 100-year flood protection so impacts associated with flooding were determined to be less than significant . . ." Are they kidding? In the wake of hurricane Katrina's catastrophic destruction of New Orleans, there were many undisputed reports stating that Sacramento is at even greater risk of catastrophic flooding than New Orleans. These reports stress that 100 year flood protection is woefully inadequate and that 200 or even 300 year protection may not be adequate. The proposed project is in a flood plane. In this time of climate change and increasingly severe weather events, how can the DEIR drafters say with a straight face that the flood impacts would be "less than significant"? Have the DEIR authors learned nothing from Katrina? This would be laughable if the danger to human life and health were not so serious. Is it really a good idea to plunk a new community into a flood plane with only two access points from which residents could escape a flood? And, who would pay for the damage: the developer who richly profited from the project or already burdened city taxpayers?

105-7

Example 3: At several junctures, the DEIR says that the payment of mitigation fees by the developer will reduce the project's harmful effects on the environment, human health, and nearby schools. Yet, unless I'm missing something, the DEIR does not explain how these money payments will translate into harm reduction. This looks like another case of speculation and wishful thinking.

105-8

The DEIR does not address how mitigation measures will be monitored for compliance and efficacy or how compliance will be enforced at a time when enforcement budgets and personnel are being cut to the bone. Therefore, even if some of the mitigation measures would theoretically work to reduce harmful impacts from significant to less than significant (a very dubious assumption) there is no realistic assurance that the proposed mitigation measures will even be put in place or enforced. Another leap of faith!

105-9

The McKinley Village project is not an infill project

The DEIR erroneously assumes that the McKinley Village is an infill project. As properly understood, infill is the development of underused or blighted buildings and vacant, abandoned, blighted or underused lots of land scattered throughout a variety of locations within an already built up mixed use area with *already existing*

105-10
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infrastructure such as roads, public transit and neighborhood-serving retail establishments. The General Plan defines infill development as “development of underused buildings and vacant lots in areas “served by existing infrastructure.” The project site has no infrastructure. There are no roads, lighting, utilities or public transit. All of the infrastructure is outside the 50 acre project area and at a significant distance from it. Most of the infrastructure outside the project site is not within walking distance of most of the project so the project will be extremely car-centric which is inconsistent with smart growth policies.

The City’s Infill Strategy (Resolution 2007-277) defines infill as existing on five (5) acres or less except when the the area is designated as “an infill target area”. The resolution does not deem the McKinley project site to be “an infill target area”. It strains credulity to say, as the DEIR apparently does, that a project site ten (10) times larger than the five (5) acre or less definition of infill could be within the contemplation of the City’s Infill Strategy.

If built, the McKinley Village project will plunk an entirely new and isolated 50 acre suburban type bedroom community into a flood plane and accessible to the rest of the city through only two access points. Surely that is in direct contradiction to the city’s stated smart growth policies.

The McKinley Village Project does not meet commonly understood standards of Sustainability. It is the opposite of sustainable.

Environmental sustainability implies that natural resources will not be needlessly used up faster than they can be replenished. The DEIR does not seem to care whether or not the proposed project is sustainable. In fact, it seems to deliberately hide the project’s inherent unsustainable nature. *For example*, it uses a 2.0 person per household number to conclude that at buildout the project will have a total population of 656 residents. That estimate is completely arbitrary. The project calls for 3, 4 and 5 bedroom houses with typical square footages in the range of 2,500 to 3,000 or more. Additionally, 25% of the houses will have ‘granny flats’ which, by definition, are meant to be lived in. On what basis can the DEIR claim that only two people will occupy such large houses? Does the DEIR assume that new residents will not have children? I believe a more realistic estimate would be anywhere from 1,000 to 1,500 new residents. The addition of this many new residents will strain the city’s already limited energy and water resources. In a time of drought when the city is on the brink of requiring its residents to take 5 minute showers, forgo lawn watering, and install low flush toilets, etc at considerable personal expense, an additional 1,000 to 1,500 city residents with new lawns to water, toilets to flush, showers to take, etc. would put greater pressure on our very limited water resources.

Even if we were to accept the DEIR’s project population estimate (based on a 2.0 resident per household figure) as realistic, that also marks the project as unsustainable. Two people do not need houses with 2,500 to over 3,000 square feet. It is an extreme waste of natural resources to build such large houses for only two occupants.

Rather than decrease auto-dependency, the proposed project increases it by failing to include retail amenities within the project site that project residents could conveniently reach by foot. There is no proposed transit within the area. The DEIR also seems to assume that project residents will only travel short distances by car. How do the DEIR drafters know where project residents will work? Two of my neighbors on E Street commute to and from San Francisco. The project also includes gas emitting fireplaces in each home, which will also increase the already high level of air pollution trapped in our topographical bowl. All this is another blow to air pollution reduction and sustainability.

The DEIR’s analysis fails to evaluate the project in the context of smart growth policies and erroneously concludes that the project is “generally consistent” with the General Plan.

To reach this conclusion, the DEIR ignores many smart growth General Plan goals and policies that should lead to disapproval of this project. Several examples follow.

↑
105-10
Cont.

105-11

105-12

105-13

New neighborhood design is supposed to incorporate a mix of residential and non-residential uses, including retail that serves the day to day needs of residents. There is no retail in the proposed project. It is a purely residential suburban type bedroom community. The General Plan calls for new neighborhoods to include transit stops. There are none included in the project. The 48 acre project has all the characteristics of a new growth area yet the DEIR treats it as a non new growth area, thus trouncing policies calling for the inclusion of low income housing. It does not provide for mixed uses and housing types for all socioeconomic classes. It does not create diverse neighborhoods. It increases the demand for water. It is isolated from the rest of the city both in terms of public transit and access to other areas by car. (There are only two points of exit and ingress.)

105-14

The DEIR ignores or plays down serious health risks

The DEIR 'Health Risk Assessment for the McKinley Village Project, Appendix C, focuses almost exclusively on cancer risks, ignoring or glossing over other major health risks from serious air pollution that has already adversely affected the respiratory health of people living in the Sacramento bowl. Only in Section 4.3 on 'Non Cancer Health Risks' does the DEIR mention the risks of heart disease and respiratory disease, giving it only 1 and 1/2 pages of treatment that does not include any fact based analysis. Yet this is a serious problem which the McKinley Village project would exacerbate in several ways.

105-15

First, open spaces are the lungs of a city. That is one reason why New York City 's Central Park is so treasured. Development of a 328 unit bedroom community would eliminate the air cleansing effect of a vegetated, carbon absorbing, water absorbing 50 acre open space. The project would, indeed, increase the city's pollution in many ways already noted. Because the project has only 2 vehicular access points, the project will significantly increase traffic volume in the already too heavily trafficked area of Alhambra and 28th. This in turn will substantially increase air pollution in the surrounding neighborhoods which already suffer from too much air pollution.. Timing of lights and striping of lanes will do nothing to reduce car volume or to reduce the increased pollution from the excessive number of cars put into circulation by this project.

105-16

Second, as noted, the project is extraordinarily car-centric. It calls for 2 car garages when people in midtown seem to get along just fine with no garages or one car garages. Two car plus households, no nearby public transit and no retail amenities within convenient walking distance portend and even more toxic brew than the terrible toxic view that we already have. I can't conceive of how such a project would not create significantly greater adverse health outcomes.

105-17

Third, during the construction period all the dirt moving and chemical use will produce a haze of dust and pollution on steroids that will not be confined to the project area. The DEIR comforts itself with the thought that this will be temporary. But a year or two of breathing in such overwhelming pollution can do a lot of health damage, especially to the health of those in adjacent neighborhoods which already suffer from too much pollution. I can't recall where but I believe one portion of the DEIR said this would all be mitigated by watering the entire 48 acres twice a day. Yet, with the drought conditions that are prompting the city to require residents to take shorter showers and to refrain from watering their lawns, a twice daily watering of nearly 50 acres mitigation just substitutes one harm for another. This seems like a cure that's just as bad as the disease. I just don't see how mitigation can make this ill conceived project acceptable.

105-18

The city of Sacramento is already too polluted. Therefore, any increase from the project is unacceptable or, in the parlance of the DEIR, significant regardless of mitigation. Increased pollution from the project will affect me personally in a significant way. I have lived on E Street between 27th and 28th Streets for 25 years. When I step outside, I am always struck by the film of black pollution I see on my white car and the white railing on my porch. I shudder to think that I am breathing this stuff and the even more dangerous smaller particles from carbon and gas emissions into my lungs 24 hours a day, 7 days a week year after year. Even in my house, dusting seems an act of futility because the film of black pollution continuously seeps into my house. Last year my allergy doctor gave me a lung capacity test and told me my lung capacity was significantly below average for my age group based on national data. When I asked my doctor how I might increase my lung capacity, he advised me to move away from Sacramento which is not feasible for me economically. Any

105-19

increase in pollution will further impair my breathing capacity and probably cause other respiratory problems. For reasons previously noted, this project does not seem to serve any worthy policy goals. Why should my health and the health of others be sacrificed so that the developer can reap a huge profit.

↑
105-19
Cont.

The decision making process does not allow consideration of other uses of the property that might better serve the Sacramento community.

The McKinley project would take up nearly 50 acres of land. The way the process currently works, the developer proposes a project and the city government and its planners react to that proposal alone. This leaves no room for considering whether other uses of the property might better serve the interests of the city and its residents.

↑
105-20

As indicated, open spaces serve as the lungs of a developed city. We should treat large open spaces like the proposed project site as a city treasure to be preserved as a sanctuary for city residents and as a pollution absorbing, water absorbing green space. Rather than just reacting to this project proposal, the City should consider turning this treasure into a public park, filled with trees and other carbon absorbing vegetation. Parts of the space could be turned into orchards which would delight the eye while also absorbing carbon emissions.

↑
105-21

I urge city officials to think outside the imprisoning box we have built for ourselves.

↑
105-22

Will the planning decision makers actually read the comments?

I have heard that the comments submitted will be summarized in one document so that the planning department decision makers will not even read the individual comments submitted by city residents. I hope this is not true. A summary cannot convey the logic and argumentation in the individual comments and is vulnerable to massaging and editorializing to support the project. This would make a mockery of citizen input.

↑
105-23

This is a democracy issue

The decision whether or not to approve this project is, or should be, a democracy issue. Who should decide? Should it be the developer who will not be affected by this project in any way other than making a large profit? Or should it be the many residents whose health, safety, and property values will be adversely affected by the project. To me, the answer is obvious. Listen to the people who live near this project and will bear the burden of its existence.

↑
105-24

Respectfully submitted
Jan Ellen Rein
Midtown Resident

Letter 105: Jan Ellen Rein, January 10, 2014

- 105-1: Commenter states the Draft EIR seems designed to justify the project by “leaving out inconvenient concerns and facts.”

The comment does not provide any evidence that supports its claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects. Specific environmental comments are addressed below.

- 105-2: Commenter states, as an example of above comment (105-1), “the Draft EIR consistently measures distances from [sic] from the edge of the project when measuring from the center is clearly more realistic.”

As a generalization, this comment cannot be evaluated. In impact evaluations, the general rule is to measure the distance from the source of an impact to where that impact is realized (for example, the distance from a noise source to the point where the noise can be heard).

- 105-3: Commenter states that planning “in this city” is dominated by developers and that decision makers treat town hall meetings and Draft EIR evaluation as “going through the motions.”

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 105-4: Commenter states the only justification for the project is the reduction of sprawl, but the project will not affect suburban sprawl.

The commenter does not provide any evidence that supports his claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects.

- 105-5: The commenter states the Draft EIR mitigation measures are based on “inappropriately rosy assumptions, speculation and leaps of faith.”

The comment does not provide any evidence that supports the claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects. The commenter provides three examples addressed below in the following responses.

- 105-6: The commenter quotes Section 4.1 of the Draft EIR, “vehicle emissions tend to decrease over time due to increasingly stringent state and federal air quality regulations and replacement of older vehicles.” Commenter states this is “a super stretch based on pure speculation.”

The Draft EIR air quality analysis, and the air quality models recommended by local air districts recognize that federal and state standards change over time (e.g., enact more stringent requirements), which has the demonstrated effect of reducing air emissions. For example, AB 1493 (Pavley 2002) requires reductions, beginning in 2009, of greenhouse gas emissions for vehicles sold in California. Commenter’s assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

- 105-7: The commenter states the Draft EIR flooding analysis, based on 100-year flood protection, is inadequate in the wake of hurricane Katrina.

The 100-year standard remains the standard used by FEMA (through the NFIP), and is specifically referenced by the CEQA Guidelines (Appendix G, Sections IX(g) and IX(h)). The project site has the same level of flood protection as existing Sacramento neighborhoods such as McKinley Park, East Sacramento, River Park, Midtown, and Downtown, which are all protected by the certified flood control levee on the south bank of the American River. The Draft EIR further discusses the effects of dam or levee failure in the region, and identifies efforts by SAFCA and the U.S. Bureau of Reclamation to increase flood protection in the project area to 200-year or greater. Nevertheless, the lead agency is justified in relying upon the 100-year floodplain as a standard of significance.

- 105-8: Commenter states the Draft EIR relies upon payment of mitigation fees to “reduce the project’s harmful effects on the environment, human health, and nearby schools” but fails to explain how such payments reduce harm.

The proposed project is required to pay various development fees in accordance with City ordinances. In addition, fees are collected by the Sacramento City Unified School District, and may be payable to the Sacramento Metropolitan Air Quality Management District (SMAQMD). The Draft EIR refers specifically to fees paid to the City to offset impacts to sewer (Impact 4.8-3) and storm water systems (Impact 4.8-4) and schools (Impact 4.7-4). It should be noted that fee payments are not the only consideration for

these impacts. The Draft EIR discusses the proposed plan to provide sewer service to the project site, and concludes there is existing wastewater collection and treatment capacity to serve the project. Providing adequate stormwater drainage also involves a series of on-site and off-site improvements. These impacts were analyzed and found to be less-than-significant, based in part – but not entirely – on the payment of fees to provide for future system capacity upgrades.

The payment of school fees, a legislatively mandated means of addressing school impacts, is addressed in the Draft EIR in Section 4.7.

The collection of mitigation fees for short-term construction air quality impacts, specifically NO_x emissions, is discussed in Mitigation Measure 4.1-1(b). The first mitigation measure, 4.1-1(a), requires all feasible means to reduce NO_x emissions on-site. If, after implementing all feasible on-site mitigation measures, project construction emissions levels of NO_x exceed the air district's thresholds, the developer would pay mitigation fees. These fees are used by the district to pay for NO_x reduction measures elsewhere in the air district, such as purchasing assistance for clean diesel engines. As such, these fees are a form of off-site compensation, which is one of the methods by which mitigation is implemented under CEQA (see CEQA Guidelines Section 15370(e)).

- 105-9: Commenter states the Draft EIR does not show how mitigation measures will be monitored at a time when enforcement budgets and personnel are being cut.

The City must approve a Mitigation Monitoring and Reporting Program (CEQA Guidelines Section 15097) if the proposed project is approved. The Program identifies the means by which required mitigation measures are monitored.

- 105-10: Commenter states the Draft EIR erroneously refers to the project as an “infill” project. Commenter states the project lacks the infrastructure, and is too large, to be considered infill.

Please refer to Response to Comment 18-48 regarding infill.

- 105-11: Commenter states the proposed project would place a “new and isolated” 50-acre development in a floodplain and with only two access points.

Please refer to Response to Comment 105-7 regarding the floodplain. The Draft EIR considers the impact of the proposed access and site circulation on the local and regional transportation system (see DEIR, Section 4.9).

- 105-12: Commenter states that the Draft EIR understates the persons per household for the proposed project, and thus understates impacts to energy and water resources.

Please refer to Master Response 6 regarding persons per household.

- 105-13: The commenter states the failure to include retail amenities within the project will increase auto dependency. Commenter further states it is impossible to tell where (and how far) workers will commute. Commenter states that gas-emitting fireplaces will add to high levels of air pollution.

Retail uses beyond those included within the recreation center were not included as part of the project because it was determined that there would not be sufficient vehicle trips through the project and/or sufficient residences to support additional retail, especially since neighborhood-serving retail uses are located within close proximity to the project site. Development of additional retail, beyond that needed to serve the neighborhood residents, would potentially result in an increase in traffic, as those businesses would require customers beyond the project residents to remain economically viable.

While it is not possible to predict the commuting behavior of any given individual, regional and city planners recognize that overall, increasing both residential and employment uses within the urban area will reduce vehicle miles travelled. It is for this reason that the project site is identified for development in the Metropolitan Transportation Plan/Sustainable Communities Strategy residences, which is a plan to improve mobility and reduce greenhouse gas emissions in the Sacramento region. . In addition, the site is proximate to downtown and other employment nodes, as shown in Figures 2 and 3 in Chapter 2 of this Final EIR.

In Sacramento, wood burning fireplaces are prohibited due to their impact on air quality. According to SMAQMD, all fire places must be Phase II Certified wood burning heaters, pellet-fueled wood burning heaters, masonry heaters, or an appliance or fireplace determined to meet the U.S. EPA particulate matter emission standard. The project is proposing to include natural gas fireplaces in approximately 50% of the residences, as indicated on page 2-10 of the project description. No wood burning fireplaces would be allowed. The air quality analysis considers the effects of these “area sources” related to the proposed land uses, and finds the effect to be less than significant (DEIR, Table 4.1-9, p. 4.1-43).

- 105-14: Commenter states the project is not consistent with the City's general plan and cites the following: lack of retail uses, lack of transit stops, lack of inclusionary housing, and increased demand for water.

Please see Master Response 8 regarding general plan consistency.

- 105-15: The commenter states the health risk assessment in the Draft EIR does not adequately consider non-cancer health risks.

The comment does not provide any evidence that supports his claim that the Draft EIR does not meet the CEQA Guidelines or that the project would result in significant environmental effects. The commenter provides three examples addressed below. Please see also Master Response 7 regarding more information on the health risk assessment prepared for the project.

- 105-16: Commenter states that development of 50 acres of "open space" would increase pollution. Commenter states that because the project would increase traffic volumes and has only two access points, air pollution would be substantially increased.

Air quality impacts have been analyzed in the Draft EIR (see Section 4.1). All air quality impacts can be reduced to less than significant with mitigation. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).) No additional analysis or mitigation is required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

- 105-17: Commenter states an opinion that the project is "car-centric" and would adversely affect health.

The comment does not provide any evidence that supports his claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects. Please see also Response to Comment 105-16. In addition, the commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 105-18: Commenter states the dirt moving and chemical use will produce pollution and questions if watering the site is proper mitigation given the current drought situation.

Construction emissions from the site have been estimated and analyzed in a manner consistent with SMAQMD's guidance. The reference to watering is assumed to be from page 4.1-44 of the Draft EIR. SMAQMD recommends watering the project site twice per day, as one of the means to comply with their Rule 403 regarding fugitive dust. As noted in the Draft EIR, the daily area of disturbance would be limited to 15 acres, rather than the entire site. Construction water is often non-potable – and thus is not reducing the supply available for residential use.

- 105-19: Commenter states an opinion that Sacramento is already too polluted and the project is inconsistent with smart growth policies.

The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required. In addition, the commenter's opinions do not raise issues regarding the physical effects on the environment. The comment is forwarded to the decision makers for their consideration. Please see Response to Comment 19-2 regarding the project's consistency with local planning documents.

- 105-20: Commenter states that the current process allows the developer to propose a project and the City to react to that proposal, rather than consider a more beneficial use of the property.

The planning process for a particular site begins with the City's 2030 General Plan. The City's 2030 General Plan designates the site for Planned Development (PD) and indicates the site is an Opportunity Area slated for future infill, reuse, or redevelopment. The 2030 General Plan indicates that, for areas designated as PD, "specific land use and urban form designations will be applied to these areas once planning is complete and the City has approved the development" (City of Sacramento 2009a). Policy LU 10.1.4 states that those areas designated as PD shall be developed consistent with the General Plan's Vision and Guiding Principles and would need to obtain a General Plan Amendment to designate the site consistent with proposed land uses. (DEIR, p. 3-3.) If a proposed development application is found to be consistent with the general plan designation for a particular site, then the planning process would not be expected to revisit the fundamental land use assumptions in the general plan.

SACOG has also determined that the proposed project is consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy (see SACOG's letter included as Appendix N of the Draft EIR). See also Response to Comment 19-2

that addresses consistency with the SCS and Response to Comment 26-9 regarding the selection of a reasonable range of project alternatives.

- 105-21: Commenter suggests the City should turn the site into a public park to provide both visual and air quality benefits.

The comment provides opinions regarding alternative land uses. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required. Please see Response to Comment 26-9 regarding the selection of a reasonable range of project alternatives.

- 105-22: The commenter urges to city officials to “think outside the imprisoning box we have built for ourselves.”

Commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 105-23: Commenter asks if comments are only included in summary form, which prevents decision makers from understanding the logic and argumentation of the individual projects.

Comment letters are included in their entirety in the Final EIR, although this is not strictly required by CEQA (CEQA Guidelines Section 15132(b)) and are part of the administrative record considered by City staff and decision makers prior to taking any action on the project. The key environmental points of the comments are reiterated as part of the responses to those comments.

- 105-24: Commenter states the decision on the proposed project should not be left to the developer.

The decision to deny or approve the proposed project rests with the elected officials on the City Council. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 106

Chris Smith

615 27th Street
Sacramento, CA 95816

Phone: (916) 712-6979
Chris@SacTownRealEstate.com

1/10/2014

To: City of Sacramento
Dana L. Allen, Associate Planner
Re: McKinley Village Project

Dear Ms Allen,

Thank you for taking the time to review my comments about the McKinley Village Project. As a 50 year resident of Sacramento County, 13 of them living in Midtown, I have seen a lot of growth in the areas housing stock. I am a Real Estate Broker and have worked as a new home sales agent in the past so I am not adverse to new construction, but I've some concerns about this project.

My major concern regards the traffic impacts on 28th Street and the surrounding neighborhoods. To make it easier for you I will summarize my points in the beginning of this letter and follow up with how I came to those conclusions:

- 1) Using Level of Service (LOS) for determining impact does not consider how the livability of the surrounding areas will be impacted by a 29% increase in traffic.
- 2) LOS impacts may be understated causing a LOS of "F" at 28th Street- C Street to E Street.
- 3) A 28th Street half street closure should be completed in the first phase of the project.

106-1
106-2
106-3

Note: All items in Italic are taken from the McKinley Village Project, Draft EIR SCH 2008082049.

1) Using LOS for determining impact does not consider how the livability of the surrounding areas will be impacted by a 29% increase in traffic-

Each study roadway facility was analyzed using the concept of Level of Service (LOS). LOS is a qualitative measure of traffic operating conditions whereby a letter grade, from A (the best) to F (the worst), is assigned. These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving. In general, LOS A represents free-flow conditions with no congestion, and LOS F represents severe congestion and delay under stop and go conditions. (4.9-21)

I understand that there needs to be a quantitative measurement to help the analysis of traffic impacts and LOS does a good job from the perspective of the DRIVERS. Unfortunately it doesn't address the impact on the RESIDENTS.

Table 4.9-9 shows that the LOS at 28th and C Street to E Street will increase from 3,850 to 4,972, a 29% increase in average daily traffic. Using the assumptions in the Draft EIR (which I think are low) a 29% increase in traffic will have a dramatic affect on the lives of the people living in this area. An increase in traffic that causes a driver to wait longer at an intersection may be an inconvenience to the driver, but it will be a significant impact on the lives of the residents.

106-4

2) LOS impacts may be understated causing a LOS of "F" at 28th Street- C Street to E Street -

Table 4.9-9 estimates the Average Daily Traffic (ADT) at "28th Street- C Street to E Street" will increase by 1,122 trips to 4,972. This puts the LOS at "E". If the ADT increases by only 29 trips per day more than estimated the LOS would be "F" (over 5,000). With the estimate being so close to pushing the

106-5

LOS into the F category we need to be sure the analysis is as good as possible. My concerns are that:

A) The number of residents per dwelling unit seems understated. If the number of residents is even slightly higher than projected the LOS will be pushed into the "F" category. Chapter 3 "Land Use, Planning and Population" estimates 2 residents per household (page 3-4) although the estimated population of Sacramento is 473,509 and the number of housing units (table 3-1) is 191,380 making an average of 2.4 residents per unit. Even a slightly higher number of residents per unit would push up the traffic count.

106-6

B) Assuming the methodology is correct, there is some conflicting data that could affect the LOS. Table 4.9-8 "Project Trip Generation" states the project will result in an additional 3,507 daily trips. Figures 4.9-7 "Inbound Trip Distribution" and 4.9-8 "Outbound Trip Distribution" both show 52% of the trips going in or out at 28th Street. 52% of 3,507 is 1,823 additional trips through this intersection. Also, the Draft EIR states: ... *The project would result in a net increase of about 1,800 daily trips to the at-grade railroad crossing on 28th Street under Existing Plus Project conditions.* (4.9-59) The ADT on table 4.9-9 appears to be understated by at least 700, much more than the 29 trips necessary to push this into the "F" category.

106-7

C) When the "Cumulative Conditions" are included in the analysis this section of 28th Street will be well into the "F" Category with a count of 6,500 ADT (table 4.9-14).

106-8

Why is making sure the LOS doesn't go to "F" so important? If the analysis is off by even 29 trips per day this project should provide improvements to the city's transportation system, hopefully within the neighborhoods that are affected by the increase traffic:

Study intersections numbered 1-9 located on 28th, 29th, and 30th Streets are within the Core Area and are governed by Policy M 1.2.2 (a). LOS F is acceptable during peak hours, provided that the project provides improvements to other parts of the citywide transportation system within the project site vicinity (or within the area affected by the project's vehicular traffic impacts) to improve transportation-system-wide roadway capacity, to make intersection improvements, or to enhance non-auto travel modes in furtherance of the General Plan goals. Road widening or other improvements to road segments are not required. (4.9-45)

106-9

3) A 28th Street half street closure should be completed in the first phase of the project.

As stated above I think the impact on 28th Street and the other adjacent streets will be significant. The Draft EIR recommends:

... Given these findings, the City should monitor 28th Street traffic volumes after construction of the project to determine if a half street closure is necessary at the C Street/28th Street intersection to prevent traffic from continuing southbound on 28th Street at this location. Installation of a half street closure would result in lower traffic southbound traffic volumes on 28th Street by diverting traffic onto C Street (eastbound), where drivers would then continue southbound on 29th Street (which is designated as an arterial roadway in the 2030 General Plan). (4.9-94).

106-10

My concern is that if we wait to make these changes who will pay for it, the city? Who will determine if it is necessary and by what criteria? Mitigation for the increased traffic needs to be done in the first phase of the project and paid for by the developer.

As stated above I think the Draft EIR does not adequately address the impacts this project will have to the livability of the surrounding neighborhoods. I would respectfully suggest the City require a lower housing density (less units = less traffic) or make sure adequate mitigation measures are addressed in the approval process.

106-11

Sincerely,
Chris Smith

Letter 106: Chris Smith, January 10, 2014

106-1: Commenter states that using LOS to determine traffic impacts does not consider the livability of the surrounding areas.

Please see Response to Comment 106-4 and Master Response 10 that addresses livability as it relates to traffic.

106-2: Commenter states that LOS impacts on 28th Street from C to E Street may be understated.

Under cumulative conditions, with or without the proposed project, the segment of 28th Street between C Street and E Street is projected to operate at LOS F on a daily basis due to forecasted growth in traffic volumes (DEIR p. 4.9-74). However, 2030 General Plan Policy M 4.3.1 does not include LOS thresholds. The City's LOS policy is contained in 2030 General Plan Policy M 1.2.2, which incorporates a "Core Area Level of Service Exemption" that allows for LOS F conditions within the area that encompasses the segment of 28th Street between C Street and E Street. Implementation of the proposed project does not result in significant impacts to any study facilities located on 28th Street under Existing Plus Project or Cumulative Plus Project conditions.

106-3: Commenter states a 28th Street half-street closure should be completed in the first phase of the project.

Please see Master Response 4 that addresses the proposed half closure on 28th Street.

106-4: Commenter states that LOS measures traffic impacts from the perspective of the drivers, but not the residents. Commenter states a 29% increase in traffic on 28th Street will have a significant effect on the residents.

Please see Master Response 10, regarding traffic and neighborhood livability. The comment regarding low assumptions in the Draft EIR does not pertain to any specific analysis or conclusions contained in the Draft EIR. Please see Response to Comment 106-2 regarding LOS impacts on 28th Street. An increase in traffic on 28th Street is not considered an impact of the project according to the set LOS thresholds, per the City of Sacramento's 2030 General Plan. Further, the commenter does not provide evidence that the Draft EIR traffic analysis did not adequately address the potential impacts of the additional traffic. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere

“[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

- 106-5: Commenter states that the LOS impacts to 28th Street, from C to E Street, may be understated. The Draft EIR identifies LOS, but the commenter notes that an average daily trip (ADT) increase of 29% would place the LOS at F.

Estimates of project-related traffic are generally conservative. For example, the ADT increases are based on an assumption that no residents would take an alternative form of transportation (bike, pedestrian, transit, rideshare, etc.). The estimates are a reasonable forecast of likely changes in traffic volumes related to the project. Please see Response to Comment 106-2, above.

- 106-6: Commenter states the number of residents per dwelling unit seems understated, and that even a number even slightly higher than the estimate of 2 would result in higher traffic counts.

The estimated vehicle trips generated by the project are derived from the number of housing units, rather than the estimated number of persons per household. Please see Master Response 6.

- 106-7: Commenter states that there is conflicting data regarding the number of vehicle trips on 28th Street.

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43), 52% of trips generated by the proposed project are projected to use this access point. As documented on page 4.9-39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, approximately 1,800 trips will utilize the A Street access on a daily basis (52% of 3,507).

The commenter goes on to state that the estimate of 1,800 daily trips is inconsistent with Table 4.9-9. Table 4.9-9 includes estimates of daily vehicle traffic on the segments of C Street west of 28th Street and 28th Street south of C Street under Existing and Existing Plus Project conditions. This data reveals an increase of 1,122 daily trips on 28th Street south of C Street and an increase of 158 trips on C Street west of 28th Street. The commenter states that because these two values do not total 1,800 that there is a discrepancy in the Draft EIR. However, project-generated trips would also utilize the segments of B Street east of 28th Street and C Street east of 28th Street, and that summing the total daily trips on the west and south approaches of the C Street/28th Street intersection is an incomplete accounting of project-generated traffic that will utilize the A Street access point (1,122 daily trips on 28th Street south of C Street, 158 daily trips on C Street west of 28th Street and 520 daily

trips on C Street and B Street east of 28th Street). Therefore, the data contained in Table 4.9-9 is consistent with the analysis contained in other parts of the Draft EIR. For more information, refer to Response to Comment 87-3.

- 106-8: Commenter states that when the cumulative conditions are included in the analysis, this section of 28th Street will be well into the LOS F category.

The DEIR supports the conclusion drawn by the commenter. Under cumulative conditions, with or without the proposed project, the segment of 28th Street between C Street and E Street is projected to operate at LOS F on a daily basis due to forecasted growth in traffic volumes (DEIR, p. 4.9-74).

- 106-9: Commenter states that the above considerations are important, as an LOS of F would trigger improvements to the citywide transportation system.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. The comment is forwarded to the decision makers for their consideration.

Please see Responses to Comments 106-4 through 106-8.

- 106-10: Commenter states that, given the above information regarding understatement of LOS impacts, the half-street closure at 28th and C Street should occur in the first phase.

Please see Master Response 4 regarding the 28th Street half-street closure.

- 106-11: Commenter restates that Draft EIR does not adequately address livability effects of traffic and recommends a lower number of housing units be approved, or that adequate mitigation measures are addressed.

Please see Master Response 10 and Responses to Comments 106-4 through 106-10.

Comment Letter 107

Dana Allen

From: Robert Winger <robertw@sacramento rentals.com>
Sent: Friday, January 10, 2014 2:05 PM
To: Dana Allen; 'vitosgromo'; Evan Compton; Steve Cohn; Sue Brown; 'Jameson Parker'; Peter Fenolio; ILee Muller; Anne Romo; Consuelo Hernandez; Steve Hansen
Cc: 'Alan Parker'; 'Dale Kooyman'; 'Vickie Valine'; mhvaline@gmail.com; 'Burgua William'; 'Karen Jacques'; 'Smith Clara'; smdtyler@aol.com; berdany@aol.com; 'BUSS Margaret'; 'Smith Clara'; 'Ed Trujillo'; Anne Romo; 'DAMJANOVIC Martha'; 'Rhee, Foon'; 'Paul Harriman'; 'Laurie Litman'; 'Paul Tsamtsis'; 'Marion Millin'
Subject: RE: McKinley Village Proposal Response January 9, 2014

Dana Allen

I agree with what Vito Sgromo statement. I am also a property manager in the midtown and east Sacramento area. I also own a house on 232 40h Street which I will be moving into next year. This will hurt a great area. It is a wonderful place to live now.

107-1

Thanks Robert Winger (916)446-6663

From: Dana Allen [mailto:DAllen@cityofsacramento.org]
Sent: Friday, January 10, 2014 9:11 AM
To: vitosgromo; Evan Compton; Steve Cohn; Sue Brown; 'Jameson Parker'; Peter Fenolio; ILee Muller; Anne Romo; Consuelo Hernandez; Steve Hansen
Cc: 'Alan Parker'; 'Dale Kooyman'; 'Vickie Valine'; mhvaline@gmail.com; 'Burgua William'; 'Karen Jacques'; 'Smith Clara'; smdtyler@aol.com; berdany@aol.com; 'BUSS Margaret'; 'Smith Clara'; 'Ed Trujillo'; Anne Romo; 'DAMJANOVIC Martha'; 'Rhee, Foon'; 'Paul Harriman'; 'Laurie Litman'; 'Paul Tsamtsis'; 'Winger Robert'; 'Marion Millin'
Subject: RE: McKinley Village Proposal Response January 9, 2014

Thank you for your comments Vito

Dana

From: vitosgromo [mailto:vsgromo11@comcast.net]
Sent: Thursday, January 09, 2014 11:36 PM
To: Dana Allen; Evan Compton; Steve Cohn; Sue Brown; 'Jameson Parker'; Peter Fenolio; ILee Muller; Anne Romo; Consuelo Hernandez; Steve Hansen
Cc: 'Alan Parker'; 'Dale Kooyman'; 'Vickie Valine'; mhvaline@gmail.com; 'Burgua William'; 'Karen Jacques'; 'Smith Clara'; smdtyler@aol.com; berdany@aol.com; 'BUSS Margaret'; 'Smith Clara'; 'Ed Trujillo'; Anne Romo; 'DAMJANOVIC Martha'; 'Rhee, Foon'; 'Paul Harriman'; 'Laurie Litman'; 'Paul Tsamtsis'; 'Winger Robert'; 'Marion Millin'
Subject: McKinley Village Proposal Response January 9, 2014
Importance: High

January 9, 2014

Letter 107: Robert Winger, January 10, 2014

107-1: Commenter states that the project would harm a great area, concurs with statements of Vito Sgromo.

Please see Letter 95 from Vito Sgromo. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 108

Dana Allen

From: Richard Kitowski <RKitowski@surewest.net>
Sent: Friday, January 10, 2014 2:14 PM
To: Dana Allen
Subject: McKinley Village

Dear Dana Allen,

I am a resident of McKinley Park, 593 36th St. and want to briefly state my views on the proposed development known as McKinley Village.

I am opposed to this development in its current proposed form for the following reasons:

- 1. I feel that there will be a significant traffic impact on existing well established neighborhoods . The area that will be impacted the most is the area from Elvas Ave and C St. south to H St. and west from Tivoli to the freeway. ... 108-1
2. McKinley Village is not an infill project. This is a land locked piece of land that is a levee away from East Sacramento. ... 108-2
3. Many of the homes in this project will be adjacent to an existing rail line and the Capitol Express freeway. ... 108-3
4. I feel that the site density should be equivalent to that what is most typical for East Sacramento. ... 108-4
5. There should be consideration given to a pedestrian, bicycle bridge to provide access to Sutters Landing Park and to the American River. ... 108-5
6. The impact on Theodore Judah School has to be given proper attention. ... 108-6

I urge you to listen carefully to the concerns of the homeowners who will be most affected by this development. If access to McKinley Village was to be from the freeway I doubt there would be much objection to the project. It is the effect that increased traffic will have on a portion of East Sacramento that is the major concern.

108-8

Thank You,

Richard Kitowski
593 36th St., Sacramento, CA 95816
916 261 0811

Richard Kitowski,

Dunnigan Realtors
Broker Associate
2401 American River Dr. # 150
Sacramento, CA 95825
Cell # : 916 261 0811
Masters Club Life Member
RKitowski@surewest.net
DRE Lic. # 00316682
www.richard4homes.com
www.steps2home.com



Letter 108: Richard Kitowski, January 10, 2014

108-1: Commenter states that the project will have a significant traffic impact, particularly in the area of Elvas and C Street, south to H Street, and west to Tivoli and the freeway.

According to page 4.9-40 of the Draft EIR, the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43) and incorporated into the traffic analysis relied upon multiple analytical techniques, including the following:

- Project-only traffic assignment using the Base Year SACMET regional travel demand model.
- Location of schools that would serve study area (Theodore Judah Elementary, Sutter Middle, and Hiram W. Johnson High).
- Relative travel time/speed comparisons between the project and key destinations (e.g., Capital City Freeway) for various travel routes.
- Review of existing traffic count data.
- Relative ease of travel on parallel routes (e.g., coordinated signals and one-way traffic using multiple lanes on 29th and 30th Streets versus bi-directional traffic and frequent stops on 28th Street and Alhambra Boulevard).

In summary, a comprehensive analytical approach was undertaken to develop the project's expected inbound and outbound trip distribution percentages. Independent review of these calculations and analysis methods by City staff confirmed their reasonableness and validity for use in the Draft EIR. The trip distribution percentages are considered appropriate by the City and the City's transportation consultant based on their professional judgment and experience in dealing with similar projects.

Please refer to Master Response 9 for additional information.

108-2: Commenter states that the C Street./Elvas connection will be the main access point to the project, and the 28th Street access will be only secondary. Commenter recommends a second major access point, and cites River Park as an example.

The transportation analysis assumes that roughly half of the vehicle trips will use the easterly access and half will use the westerly access. The factors considered in this assumption are described on page 4.9-40 of the Draft EIR and in Response to Comment 106-7. The addition of a third (or more) vehicle access is not required to address a significant circulation impact, including emergency access. A third vehicular access to the project site is not required to mitigate project-related traffic impacts to less than significant. As discussed in Section 4.9 of the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new

intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours in the existing plus project scenario. (DEIR, p. 4.9-51.) No additional access is required.

- 108-3: Commenter states that the project is not infill and should be considered a suburban subdivision.

Please see Response to Comment 18-48, regarding infill.

- 108-4: Commenter states that the project will be near sources of air and noise pollution (rail and freeway), and that significant landscaping buffer should be added.

The impacts of noise and air emissions on future residents of the proposed project have been analyzed in the Draft EIR. Please refer to Sections 4.1 and 4.6 of the Draft EIR. As described on pages 2-49 and 2-50 of the Draft EIR, the project includes a landscaped buffer along the freeway and the railroad tracks.

- 108-5: Commenter states the proposed density is higher than McKinley Park and should be similar to existing East Sacramento neighborhood densities.

The overall project density is between the density of the McKinley Park and Midtown neighborhoods (11.2 dwelling units/acre) and the setbacks accommodate the planned density. The commenter's opinion is forwarded to the decision makers for their consideration.

- 108-6: Commenter states there should be pedestrian/bicycle access to Sutter's Landing and the American River.

Access to Sutter's Landing (and to the American River) is available through the extension of A Street. In addition, the project has been designed to accommodate a potential future connection across the Capital City Freeway via a bicycle overcrossing, which is shown on the City's Bikeway Master Plan (DEIR p. 2-45).

- 108-7: Commenter states the impact to Theodore Judah School has to be given proper attention.

Please see Master Response 2 regarding school capacity and Theodore Judah School.

- 108-8: Commenter states if the project had freeway access, rather than increasing traffic in East Sacramento, it is doubtful there would be much objection to the project.

The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

Comment Letter 109

Dana Allen

From: Nancy Yamada <ntyamada@gmail.com>
Sent: Friday, January 10, 2014 2:29 PM
To: Dana Allen
Subject: McKinley Village Draft Environmental Impact Report (DEIR)

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811
dallen@cityofsacramento.org

RE: McKinley Village Draft Environmental Impact Report (DEIR)

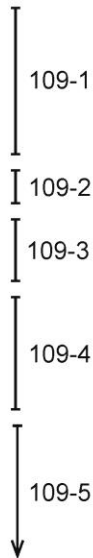
Dear Ms. Allen:

As a long-time resident of midtown who enjoys the amenities of midtown, East Sacramento and Sutter's Landing Park, the information the DEIR provides and fails to provide greatly concerns me.

No midtown traffic impact analysis: First, and what is glaringly absent from the report is any study on the impact to midtown traffic. Specifically, there is no study of westbound traffic using F and G Streets. I would imagine that many residents of McKinley Village would choose to live there precisely because of its proximity to work downtown and the restaurants/shops in midtown. F and G Streets provide the most direct westbound access to the Central City, but all the lettered streets (H, I, J, K, L, Capitol) would also be impacted. No traffic studies of these streets were performed so there is no real understanding of the impacts.

Reported traffic impact analysis troubling: Although I also do not believe that the traffic impacts to C Street have been thoroughly studied, what it does disclose is troubling enough. There are only two access points for cars, a single access point for pedestrians/bikes, no direct freeway access, no direct access to public transportation and no services provided within the development. Basically, it is a gated community. Just looking at the diagram/illustration makes no sense. Car traffic would spill out onto residential streets in East Sacramento and into a park! Ideally, there would be twice as many access points to lessen the impact at all points, and car access at Alhambra Boulevard. Yes, that would be more expensive for the developer, but under the current plan, the residents of the existing neighborhoods will be paying the price instead. In other words, the developer would be profiting at the expense of surrounding residents and others whose enjoyment of their neighborhoods, Sutter's Landing and McKinley Park will be severely diminished.

Detrimental Impact on Sutter's Landing Park: As currently proposed, 1800 cars will exit the project at A Street through Sutter's Landing Park. This will increase noise, pollution, usage, and can only negatively impact the park, all of which would affect the wildlife. The current McKinley Village site offers foraging habitat for the Swainson's Hawks and other raptors that would no longer be available to the American River populations that call this area home. The current proposal doesn't adequately acknowledge the impact to the natural values at



Sutter's Landing. The mitigation efforts currently proposed is miles away rather than adjacent to Sutter's Landing Park, where it could restore some of the natural values that would be lost from the development. Furthermore, there are also safety issues from the increased traffic to pedestrians, bicyclists and skateboarders. There are no sidewalks and a steep grade into and leaving the park.

I have several other issues with this development, but have not had the opportunity to fully examine the voluminous report in regard to those issues. As currently proposed, the McKinley Village project threatens to fundamentally alter the quality of life and character of the surrounding neighborhoods. The proposed McKinley Village will exist as an isolated car-based community that lacks urban-style access to public transportation, shopping and entertainment. Unfortunately, as proposed, the only community connection will be increased car traffic on existing neighborhood roadways.

Thank you for your consideration.

Nancy T. Yamada
 605 22nd St
 Sacramento, CA 95816
ntyamada@gmail.com

The only thing needed for evil to triumph is for good people to do nothing.
 - Edmund Burke (1729-1797) [paraphrased - yes, I even edit famous quotes]

↑ 109-5
 | Cont.
 | 109-6
 |
 | 109-7
 |

Letter 109: Nancy Yamada, January 10, 2014

109-1: Commenter states the Draft EIR does not assess traffic impacts to midtown, specifically westbound traffic on F and G Street.

Please see Master Response 5 regarding the traffic study area, including F and G streets.

109-2: Commenter asserts that C Street has not been adequately analyzed, but the results of the analysis are disturbing.

The traffic study included evaluation of the C Street/28th Street intersection during peak hours. A comparison of the peak hour traffic volumes contained in Figure 4.9-6 (Existing Conditions) and Figure 4.9-9 (Existing Plus Project Conditions) at this location reveals that implementation of the proposed project would generate an estimated 13 trips during the AM peak hour and 15 trips during the PM peak hour on the segment of C Street located to the west of 28th Street. These values equate to an approximately 4.5% increase in traffic during peak hours. The Draft EIR did not identify any significant impacts to the C Street/28th Street intersection under Existing Plus Project or Cumulative Plus Project conditions. Additionally, the Draft EIR evaluated the daily capacity utilization of the segment of C Street west of 28th Street under all scenarios. Please refer to Tables 4.9-4, 4.9-9, 4.9-14, and 4.9-18 of the Draft EIR.

109-3: Commenter states that two access points is inadequate, and creates a gated community.

Please see Response to Comment 108-2 regarding the lack of necessity for a third access point. The commenter does not provide any evidence that supports his claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects not already disclosed in the Draft EIR.

109-4: Commenter states that proposed access would place cars in an existing neighborhood and park, and at least twice as many access points are required.

Please see Response to Comment 108-2 regarding the lack of necessity for a third access point. The commenter does not provide any evidence that supports his claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects not already disclosed in the Draft EIR.

109-5: Commenter states the additional traffic on C Street will negatively impact Sutter's Landing.

Please see Responses to Comments 11-8, 13-1, and 14-16.

- 109-6: Commenter states there are safety impacts from increased traffic to pedestrians and cyclists at C Street/Sutter's Landing.

C Street at 28th Street is currently controlled by All-Way stop signs and includes sidewalks and crosswalks on two legs of the intersection. This setting provides safe pedestrian and bike flow within the area. C Street at 28th Street is included in the project study area and no impacts to pedestrian or bicyclist were identified at that location. Please see also Response to Comment 63-2.

- 109-7: Commenter states an opinion that the proposed project is a car-based community that will alter the quality of life and character of the surrounding neighborhoods.

Please see Master Response 10 that addresses the livability of the area in regards to traffic. In addition, the commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 110

Dana Allen

From: jeremy lockwood <jeremy.aubrey.lockwood@gmail.com>
Sent: Friday, January 10, 2014 2:36 PM
To: Dana Allen; Steve Hansen; Steve Cohn
Subject: McKinley Village EIR Response

I live near the intersection of 28th and D St. and I am very concerned that the EIR for the proposed McKinley village development has overlooked or whitewashed several major issues. 110-1

Traffic: The EIR calls the impact on traffic insignificant. This is not credible based on my experience that it only takes a small amount of congestion at 30th and E streets to cause a backup that floods back several blocks onto McKinley Blvd. given the current traffic pattern. It's hard to imagine that an additional 1800 trips per day would have an insignificant impact. The Development as proposed will be landlocked by transit, hemmed in by freeway and railroad corridors, and the access will be periodically blocked by railroad crossings. This will lead to artificial floods of traffic onto the surrounding surface streets. 110-2

Traffic mitigation: Though the expected impact is insignificant the EIR proposes a couple of mitigation efforts. These efforts such as eliminating street parking adjacent essentially transform H St., Alhambra Blvd and McKinley Blvd/E St. into thoroughfares where they are immediately adjacent to the regional McKinley Park. Not only will this negatively impact the park it will negatively impact all of the adjacent properties in the increased traffic and the loss of on street parking. Many of these properties do not have off street parking, and if I were one of those property owners I would see this as more than inconvenience, I would see it as an unreasonable taking for the benefit of a developer. 110-3

It is also unclear who is to pay for these mitigations. It appears the need is to be determined after the developers have moved on, and mitigation will become the city's responsibility. 110-4

Schools: As you are well aware the district has closed several area schools, while this development can bring an influx of up to 600 schoolchildren. Where will these children attend school and what is the impact to existing schools. Are the existing schools going to be expected to turn away current attendees in favor of these new children? 110-5

Land conversion: Much about this project has been described as "infill" I propose that this is not in fact a traditional infill project but instead a suburban agricultural land conversion. Regardless of zoning, this parcel was last used for agricultural purposes. The developers have taken on few of the liabilities associated with an infill project. There is no toxic cleanup, no mitigation of industrial effects that the city has interest in removing. 110-6

Letter 110: Jeremy Lockwood, January 10, 2014

- 110-1: Commenter states concern that the Draft EIR has overlooked or “whitewashed” several major issues.

Specific comments regarding the project follow. Please see Responses to Comments 110-2 to 110-6. No further response is required.

- 110-2: Commenter states that based on personal experience, an additional 1,800 trips per day would not be “insignificant.” Commenter further states the project is “landlocked” – hemmed in by a freeway and railroad, and access periodically blocked by railroad crossings.

It should be noted that the Draft EIR does not identify the additional vehicle trips as “insignificant.” The Draft EIR traffic analysis fully accounts for the effect that project trips would have on streets and intersections consistent with the requirements of the City of Sacramento. Most of the study intersections and roadway segments would continue to operate at an acceptable LOS, despite the increase in traffic. The Draft EIR finds potentially significant impacts at H Street/Alhambra Boulevard. According to Table 4.9-20, the proposed project would exacerbate LOS F conditions at the E Street/Alhambra Boulevard and H Street/Alhambra Boulevard intersections and the McKinley Boulevard/33rd Street intersection.

Further, the commenter does not provide evidence that the Draft EIR traffic analysis did not adequately address the potential impacts of the additional traffic. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

Please see Master Response 9 regarding the 28th Street access and the at-grade railroad crossing.

- 110-3: Commenter states that although the Draft EIR finds the traffic impact to be “insignificant” there are proposed mitigation measures at H St., Alhambra Boulevard., and McKinley Boulevard/E Street that would adversely affect the neighborhood. Commenter states the mitigation is “an unreasonable taking for the benefit of the developer.” The commenter goes on to express concern regarding the removal of on-street parking.

No mitigation measures contained in Section 4.9 of the Draft EIR would remove on-street parking or add traffic lanes to roadway segments located immediately adjacent

to McKinley Park. One mitigation measure contained in the Draft EIR, Mitigation Measure 4.9-6(a), would require the project applicant to contribute a fair share toward modification of the segment of H Street located between 30th Street and Alhambra Boulevard; this improvement would result in the prohibition of on-street parking on the south side of H Street during peak periods (7–9 AM and 4–6 PM) to allow for two eastbound travel lanes between 30th Street and Alhambra Boulevard while maintaining the same lane configurations on the east approach to the H Street/Alhambra Boulevard intersection (DEIR, p. 4.9-90). This measure would assist in improving traffic flow along H Street.

- 110-4: Commenter states it is unclear who will pay for the mitigations and that the developer will have moved on before they are necessary, leaving the City responsible.

All mitigation measures related to project-specific impacts documented on pages 4.9-60 through 4.9-62 in Section 4.9 of the Draft EIR would be paid for by the project applicant. For mitigation measures related to cumulative impacts, documented on pages 4.9-89 through 4.9-92, the project applicant would be required to pay a fair share toward the identified mitigation (based upon the project's share of the impact).

The fair share contributions required of the developer are attached to conditions of approval and regulatory milestones (such as approval of a subdivision map, issuance of building permits, and issuance of certificates of occupancy). The required mitigation is therefore fully enforceable and will not become a burden upon the City.

- 110-5: Commenter states that several area schools have been closed and asks where the “up to 600 schoolchildren” would attend schools and what the impact would be.

The project has the potential to increase the number of school children attending SCUSD schools by 265, using SCUSD student generation rates, rather than 600. Please see Master Response 2 regarding school capacity.

- 110-6: The commenter disputes the description of the project “infill” and states the land was last used for agriculture, and that there is no toxic cleanup or mitigation of industrial effects.

According to the Phase I Environmental Site Assessment prepared for the project, a majority of the site was previously used for agricultural activities from at least 1937 through 2006. The project site does not appear on the regulatory database of chemical handlers, hazardous waste generators, or polluters. The site has been examined for potential soil and groundwater contamination, including lead, asbestos, and potential contamination from the closed landfill north of the site. Although no contamination was identified that would require further investigation or raise health concerns, the Draft EIR includes mitigation measures to address discovery of

unknown contamination during construction, and to alert future residents of the presence of the nearby closed landfill (Mitigation Measures 4.4-1 and 4.4-2). Please see also Response to Comment 18-48 regarding the City's definition of infill.

Comment Letter 111

The Weide Family
334 35th Street
Sacramento, CA 95816

January 10, 2014

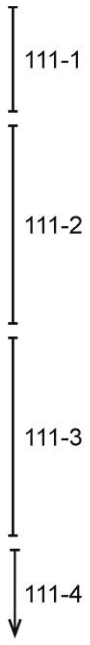
Dana Allen,
Associate Planner
City of Sacramento,
Community Development Department,
300 Richards Blvd., Third Floor, Sacramento, California 95811
916.808.2762
dallen@cityofsacramento.org

Subject: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
MCKINLEY VILLAGE PROJECT (P08-086) (SCH No. 2008082049)

Dear Ms. Allen,

Thank you for the opportunity for us to provide comments on the Draft Environmental
Impact Report (DEIR) for the McKinley Village Project (proposed project). Here are our
comments on the DEIR:

1. ESIA has submitted a **list of changes to the McKinley Village Project**, in response to City and Community Input (12-12-13) (please see attached). Are these changes included in the DEIR Project Description and analyzed in the DEIR? If not, please make necessary revisions to the DEIR to address these project changes.
2. Throughout the DEIR, mitigation measures are shown as recommended. To comply with CEQA, **please differentiate between required and recommended mitigation measures**. If significant project impacts are being reduced to "less than significant with mitigation", the mitigation measures must be required and included in the project commitments. In the mitigation section of the DEIR, please indicate that the mitigation measures must also be incorporated into construction specifications and implemented as part of the project, in compliance with the mitigation Monitoring Plan. Also, please indicate that mitigation implementation must be documented by the city and the construction contractor.
3. Many of the stated **project objectives do not appear to be achieved** as described in the DEIR. The DEIR should explain in detail and quantify how the proposed project will meet developer's stated objectives.
 - The proposed project would increase vehicle miles traveled daily in the neighborhood and surrounding area, resulting in adverse impacts to the quality of life for the residents in the existing McKinley Park neighborhood. How will these impacts be mitigated?
 - The proposed project would not be an opportunity for infill development. According to the City of Sacramento Infill Strategy (5-14-13) (see attached), the proposed



project does not meet City's criteria for an infill project and is not within a City target area for infill. Please explain and provide an infill map that explains how this is a City designated infill area.

↑
111-4
Cont.

- The proposed project is not consistent with sustainable design and low impact development concepts. The proposed homes will be two stories high, requiring higher energy use in the hot summer months. In addition, the homes will have multiple car garages, and the reliance on the car for mobility does not meet the definition of sustainable community. The development will also not be serviced by the local transit agencies. Given these issues, how will the project meet these objectives?
- At this time, the DEIR does not give enough information to demonstrate that A Street/28th Street is a feasible access location for the proposed project. What approvals will be required to allow the developer to utilize that access location? Will the bridge over the freeway need to be rehabilitated or replaced. If so, who will pay for the rehabilitation or replacement? What is the timeline to be able to utilize the A Street/28th Street access location. If that access location is found to be not feasible, how will the project provide adequate access for vehicular traffic.
- At \$300,000 to \$700,000, the proposed project would not provide a range of housing. These homes would only be affordable to buyers from the City's higher economic levels.

111-5

111-6

111-7

4. The DEIR states "The general cumulative impact context for evaluating cumulative impacts for the majority of the technical issue areas evaluated in Chapter 4 of this Draft EIR considers development projections identified in the City's 2030 General Plan, or evaluates the potential loss of resources on a much broader, regional scale. *This cumulative impact analyses in this Draft EIR thus do not rely on any list of specific pending, reasonably foreseeable development proposals in the general vicinity of the proposed project.*"

111-8

However, **there is no land use section in Chapter 4, and Chapter 3 (Land Use Planning and Population) of the DEIR does not include an analysis of cumulative impacts.** The DEIR should take into consideration the cumulative land use impacts of the pending projects in the proposed project area. These projects include: Planned Sutter Park project; Mercy Hospital expansion project; Sutter General Hospital expansion project; Business I-80 expansion project; and Union Pacific Railroad and CCJPA/Amtrak expansion projects.

Without the cumulative analysis of the proposed project and pending projects in the area, it is not possible to under the cumulative impacts of the proposed project on the existing land uses in the project area. Please provide an analysis of cumulative impacts and proposed mitigation measures to reduce impacts to existing land uses in the project area.

111-9

Sincerely,

Elizabeth and George Weide

Partial List of Changes to McKinley Village in Response to City and Community Input as of 12/12/13

Land Use and Homes

1. Reduced number of units from 397 to 336 in response to concerns about neighborhood compatibility and traffic
2. Eliminated the church and pre-school, reducing traffic
3. Expanded single family housing diversity from 3 housing types with 27 base elevations to 5 housing types with 52 base elevations, with a commitment that no two single family homes fronting on the street will look the same taking into account colors and materials
4. Expanded square footage range of homes from 1448-2321 square feet to 1295-3150 square feet
5. Expanded offering of second units/granny flats from 2 home plans to 3 home plans
6. Eliminated 3 car garages on units with granny flats
7. Added plans with master bedroom/bedrooms downstairs
8. Added 24 Parkside Flats units to increase housing diversity, provide a single story living option, create a more urban attached unit design form around the central park, and eliminate elbow lots around the central park
9. Added contemporary home designs – Modern Prairie and Urban Farmhouse
10. Designed specific home plans, not just conceptual renderings of homes
11. Redesigning units along the railroad for noise and vibration to account for existing tracks and potential new Capitol Corridor track. Units now meet city’s traditional neighborhood noise standard (stricter than infill standard)
12. Adding new home plans for both the Courtyard and Commons street frontage lots (2 new plans with 6 new elevations) to increase housing diversity on Streets 1 and 8
13. Added setbacks of up to an additional 16 feet to the Commons lots and up to an additional 10 feet to the Courtyards lots in the middle of Streets 1 and 8 to provide setback variation and to provide a greener visual effect when looking down or traveling on streets 4 and 5 from the central park
14. Redesigning 3 home plans to bring the living spaces (great room, kitchen, dining room) to the front of homes to put more eyes on the street and increase neighborhood interaction.
15. Redesigning 2 home plans to pull garages further back from the street
16. Converted homes on one side of Streets 2 and 6 to have alley access, eliminating up to 24 driveways and garages facing the street

111-10



- 17. Committed to pre-plot homes in each phase to ensure diversity of housing plans, elevations, colors, and materials
- 18. Redesigning fence placements and homes to eliminate yard areas/strips which are difficult to maintain or use
- 19. Moving fences between homes that are visible from the street further back to enhance the streetscape
- 20. Included new sustainability features including pre-wiring for electric vehicle chargers

Biking and Walking

- 21. Added proposed bicycle pedestrian tunnel under the UPRR tracks at Alhambra Boulevard to connect McKinley Village to the McKinley Park neighborhood, retail, Sutter Middle School, and transit and to connect the existing neighborhood to McKinley Village, Sutter's Landing Park and the American River Parkway
- 22. Increasing the size of the proposed bicycle pedestrian tunnel from a box design that was 12 feet high by 12 feet wide to an arch design that is 12.5 feet high and 25 feet wide, increasing the tunnel size by 70%
- 23. Proposing to replace standard lighting at the 40th Street underpass and the Alhambra bike pedestrian tunnel with energy efficient LED lighting to provide safety and comfort to pedestrians and bicyclists and to create unique, well designed urban spaces
- 24. Redesigning entrance to the bicycle pedestrian tunnel to put "eyes on the path" by re-orienting homes and redesigning landscaping
- 25. Enhanced the bicycle pedestrian path to the tunnel by adding a gazebo and lighted boardwalk across the detention basin
- 26. Created a direct biking and walking connection from Street 8 to the A Street bridge and the bicycle pedestrian tunnel
- 27. Added dedicated on-street bicycle lanes and eliminated parking on 40th Street between C Street and A Street and from 28th Street to the A Street bridge to enhance bicycle connections and safety
- 28. Widened the sidewalk under the 40th Street underpass from 5 feet to 6 feet
- 29. Redesigning the entrance to the bicycle pedestrian tunnel to include a safe, secure alternative to bollards
- 30. Reserved a location in northeast corner of the project for a future bikeway connection over the Capital City Freeway to the Two Rivers Trail
- 31. Proposed sharrows within the project
- 32. Added traffic calming designs throughout the project including bulb outs, chokers, split medians, and traffic circles to slow traffic, improve biking and walking, and enhance the streetscape
- 33. Added trees to alleys



111-10
Cont.

Parks and Public Spaces

- 34. Increased park and recreation center acreage from 1.9 acres to 3.2 acres, with a net increase in public parks of .8 acres despite the reduction in density
- 35. Included 8 parklets totaling approximately 1 acre to provide common greens and neighborhood gathering places throughout the project
- 36. Increased overall park and open space (parks, parklets, common greens, landscaped corridors, and detention basins) acreage to approximately 9.5 acres
- 37. Proposed a community garden in the northeast corner of the project
- 38. Committed to a voluntary art in public places program to enrich the public realm for residents, visitors, and neighbors
- 39. Proposing to turf and irrigate approximately 8,300 square feet of the southern detention basin (which is the overflow basin, thus infrequently holding water) to create additional usable park and recreation space
- 40. Increased tree planting from 1,500 to over 2,000 trees and set out specific planting plans
- 41. Increased the size of the recreation center to accommodate greater community participation
- 42. Increased length of the recreation center pool to 75 feet, with six 7 foot lanes so that McKinley Village could participate in local swimming leagues
- 43. Added additional indoor space, with outdoor patio and gas fire pit, to the recreation center for a café, restaurant, shop or other retail use
- 44. Proposed specific designs for parks, including activity spaces of benefit to and use by McKinley Village as well as nearby neighborhoods (e.g. pickle ball courts, etc.)
- 45. Added redwood planting and landscaping on the freeway side of the sound wall/berm along the Capital City Freeway

Other

- 46. Initiated transfer of property from Twin Rivers Unified School District to Sacramento City Unified School District so children can attend nearest schools and walk or bike to school and so impact fees can benefit local schools
- 47. Included a sewer storage/surge facility for McKinley Village
- 48. Working with City to provide a reservation of land to accommodate a potential future City constructed combined sewer system surge tank for the existing neighborhood



111-10
Cont.

Letter 111: The Weide Family, January 10, 2014

111-1: Commenter states the ESIA has submitted a list of changes to the proposed project in response to “City and Community input.” Commenter asks if the changes have been incorporated and, if not, asks that the Draft EIR be revised to address them. The list is attached to the comment letter and identified herein as Comment 111-10.

Please refer to Response to Comment 111-10 and Chapter 2 of the Final EIR for a list of revisions to the project description.

111-2: Commenter asks for differentiation of required and recommended mitigation measures. Commenter states mitigation that would reduce impacts to less than significant must be required and included in the project commitments.

The mitigation measures identified in the Draft EIR (see Table ES-1 for a summary of all mitigation measures) are necessary to reduce potentially significant environmental effects to a less-than-significant level with the following two exceptions: Mitigation Measures 4.4-1 and 4.4-6. These measures, related to undiscovered contamination and noise/vibration, respectively, are included to further reduce the effects even though those impacts do not exceed the thresholds of significance.

CEQA requires that required mitigation measures are enforceable (through conditions of approval or other regulatory means). The City must approve a Mitigation Monitoring and Reporting Program (CEQA Guidelines Section 15097) if the proposed project is approved. The Program identifies the means by which required mitigation measures are monitored.

111-3: Commenter states that many of the project objectives do not appear to be achieved by the proposed project. Commenter states the project would increase vehicle miles travelled in the neighborhood, resulting in adverse effects. Commenter asks how these effects would be mitigated.

It is assumed that the commenter refers to the following objective: “Place residential uses near existing jobs and services to reduce vehicle miles traveled.” This objective refers to the development of residential uses nearer to existing jobs and services (located in the urban center), as opposed to development in outlying suburban or rural communities. In this respect, it is assumed that some level of residential development will occur in the region to satisfy demand, but that future vehicle miles traveled (VMT) will be reduced compared to suburban, rural, or exurban development patterns. Impacts related to local traffic increases have been analyzed in the Draft EIR and necessary mitigation measures are identified (Mitigation Measures 4.9-1 and 4.9-6). See also Master Response 10, regarding the issue of neighborhood livability and traffic.

111-4: Commenter states its opinion that the project does not meet the City's criteria for infill.

Please see Response to Comment 18-48 regarding infill development.

111-5: Commenter states the project is not consistent with sustainable design and low impact development concepts. Commenter sites the proposed two story homes, multiple car garages, and lack of transit.

As noted on page 3-33 of the Draft EIR, the average density of the project is 10.9 du/ac, which is higher than the 7 du/ac average density in the nearby McKinley Park neighborhood. (Project density has changed to 11.2 du/ac with the addition of attached units, see Chapter 2 of this Final EIR for more information.) The increase in density enables the project to develop a broader mix of unit types and creates a neighborhood that is more compact. As noted in Chapter 2 of this Draft EIR, the home plans now include an attached unit that provides single story units. The project includes energy conservation features with a goal to exceed the state's Title 24 requirements by meeting current Tier 2 Energy Efficiency Standards. Homes would be pre-wired for solar and electric vehicle chargers and would incorporate sustainable materials such as low or zero volatile organic compound (VOC) paint and carpet. Energy required for the recreation center would be offset with on-site solar panels or other energy efficiency technology. The project also plans to incorporate low impact development concepts in the drainage system. The project has been designed with a higher density which is considered more appropriate near the more urbanized core of the City. Please see Response to Comment 31-167 regarding access to transit.

111-6: Commenter states that the Draft EIR does not give enough information to demonstrate that A Street/28th Street is a feasible access location. Commenter asks what approvals will be required, how will the bridge be replaced/rehabilitated, who will pay for it, and what the timing for the access will be.

As noted in Chapter 2 of this Final EIR, improvements to the A Street Bridge will include new paving and striping and upgrading the guardrails. The bridge is owned and maintained by the California Department of Transportation (Caltrans) and is routinely checked to ensure it is structurally sound. A structural review of the bridge was conducted by Caltrans in March 2011, and the review concluded the bridge is structurally sound (Caltrans 2011). The required improvements will be completed as part of the first phase of the development at the developer's expense. (DEIR, p. 2-57). As noted in Chapter 2 of this Final EIR, Caltrans may consider other bridge designs, including a cantilever to provide additional pedestrian access on the north side, but any such approaches would require additional design and discussions with Caltrans (see Chapter 2 of this Final EIR for the specific text change).

Please see Master Response 9 regarding other traffic issues related to the A Street/28th Street access.

- 111-7: Commenter states that at prices of \$300,000 to \$700,000 the proposed homes would not provide a range of housing but would only be affordable to buyers from the City's higher economic levels.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 111-8: Commenter quotes the Draft EIR regarding use of regional projections such as the 2030 General Plan for purposes of cumulative impact analysis. Commenter notes that Chapter 3 does not include an analysis of cumulative impacts. Commenter identifies Sutter Park, Mercy Hospital expansion, Sutter General Hospital expansion, Business I-80 expansion and UPRR/Amtrak expansions as cumulative projects to be considered.

The projection method is one of the two approaches to cumulative analysis described in the CEQA Guidelines (CEQA Guidelines Section 15130(b)(1)(B)).

Chapter 3, Land Use Planning and Population, discusses potential inconsistencies with applicable land use plans (per CEQA Guidelines Section 15125(d)). As these are plans for long-range development, and only plans that are in effect and apply to the project must be considered, cumulative impact analysis, as a separate analysis of past, present and future projects, is not necessary (or put another way, future planned land uses are incorporated into the land use analysis).

Regarding the impact analysis and the projects identified by the commenter, these projects have been accounted for either in the regional projections, or called out in the Draft EIR analysis. The potential expansion of UPRR and the Capital City Freeway is considered in the Draft EIR (see DEIR, pp. 2-63 to 2-64, Section 4.6, and Section 4.9). The primary effects of the Mercy and Sutter General Hospital Expansion as well as the proposed Sutter Park project, in combination with the proposed project, would be the associated increase in traffic, and the associated increase in vehicular noise and air emissions. Future traffic volumes are based on regional modeling which take into account future increases in traffic.

- 111-9: Commenter states that without the cumulative analysis of the proposed project and pending projects, it is not possible to understand the cumulative impact on existing land uses.

Please see Response to Comment 111-8.

111-10: The attachment provides a detailed list of changes to the project that were provided by the project applicant. All of these changes have been incorporated as part of the project. Please see Chapter 2 of this Final EIR for an overview of changes to the project since release of the Draft EIR.

Comment Letter 112

Dana Allen

From: Erin Kelly Macko <ekelly1123@hotmail.com>
Sent: Friday, January 10, 2014 2:38 PM
To: Dana Allen
Subject: McKinley Village Project

Dear Ms. Allen,

I agree with the following request made to you on December 19th, 2013 by Physicians for Social Responsibility. The Draft Environmental Impact Report for McKinley Village should expand its scope as the 700 physicians of our communities outline in their letter below.

Physicians for Social Responsibility
10 Dumfries Court
Sacramento, California 95831
www.sacpsr.org • info@sacpsr.org
916 955-6333

December 19, 2013

Dana Allen, Associate Planner, City of Sacramento Community Development Department
300 Richards Blvd, 3rd Floor
Sacramento, California 95811

By e-mail: dallen@cityofsacramento.org

Re: Draft Environmental Impact Report (DEIR) for the McKinley Village project

Dear Ms. Allen:

The DEIR for the McKinley Village project does not adequately address the health impacts for the residents of the proposed project. As stated on page 4 in Section 4.1 (Air Quality and Climate Change), Sacramento County's levels of ozone and particulate matter are above attainment levels. Regional air pollution already places our entire community at risk for adverse health effects.

It is well established that proximity to highways is associated with adverse health impacts. According to an August 23, 2012 report by the California Air Resources Board, "The health impacts of traffic-related air pollution are well documented and include respiratory and cardiovascular disease, asthma, and cancer." The report also notes that "the health impacts of traffic-related air pollution are well documented and include respiratory and cardiovascular disease, asthma, and cancer."

112-1

112-2

Resources Board (CARB)[1], these include: exacerbation of asthma, impaired lung function, increased heart disease, new-onset chronic obstructive pulmonary disease, a faster progression of atherosclerosis, increased risk of premature death from circulatory disease, and increased incidence of new heart disease. Other effects include increased risk of low birth weight and increased risk of preterm delivery for mothers.

Numerous peer-reviewed studies have documented the additional health risks for children living in close proximity to highways. These health impacts include an increase in asthma in children who live within 417 meters (1/4 mile) of a major roadway (as evidenced by higher incidents of wheezing requiring inhaler use and increased hospitalizations).[2] Studies also show that exposure to near-roadway pollutants (independent of regional air pollution levels) add additional risk as evidenced by lowered childhood lung function.[3]

Recent research has also shown that living within 309 meters (0.2 miles) of a freeway during the third trimester, after adjusting for other variables, is associated with an increased risk of having an autistic child.[4]

It is our understanding that the entire project will be located within 417 meters of the freeway and it is anticipated that the closest residence will be 58 feet from the freeway (Appendix C, page 1). CARB recommends avoiding "siting new sensitive land uses within 500 feet of a freeway." [5] This recommendation is acknowledged in the DEIR in Appendix C, p. 10-11.

The best available scientific research indicates that significant health impacts for children can be lessened if they live at least 1370 feet (417 meters) from a major roadway. This information should be considered as this project is being reviewed.
Sincerely,

Harry Wang, MD, President, Physicians for Social Responsibility/Sacramento

↑
112-2
Cont.
↓

Sent from my iPad

Letter 112: Erin Kelly Macko, January 10, 2014

112-1: Commenter states she is in agreement with comments made by Physicians for Social Responsibility. [Comments attached.]

Please see Response to Comment 112-2.

112-2: Comment by Harry Wang, M.D., President of Physicians for Social Responsibility, December 19, 2013.

This letter has been submitted and addressed in this Final EIR. Please see Letter 27, Physicians for Social Responsibility.

Comment Letter 113

Dana Allen

From: Beth Campbell <belloq@gmail.com>
Sent: Friday, January 10, 2014 2:42 PM
To: Dana Allen
Cc: Steve Cohn; Steve Hansen
Subject: Response to McKinley Village EIR

I am writing to express my concerns regarding the EIR submitted in response to the proposed development known as McKinley Village.

I am a homeowner near the intersection of 28th and D Streets, and my child attends Theodore Judah Elementary School in McKinley Boulevard. This project will greatly impact my home and family in ways that I feel have not been adequately addressed by the EIR.

Traffic on 28th Street: The EIR barely considers the impact of traffic on 28th Street and does not sufficiently address the concerns of residents in this part of midtown. The railway crossing on 28th Street creates daily delays, including routine stoppages of trains while traffic backs up all the way to D Street and beyond. What mitigation is proposed once this street is handling up to 1,800 additional car trips every day? What mitigation is proposed for this fragile neighborhood (already subject to problems due to the presence of a bar, a gas station, and a freeway onramp) once we become a major commuting route for new residents?

113-1

Children (primarily teenagers) as well as local residents routinely walk dogs and ride skateboards and bicycles up 28th Street to access Sutter's Landing park, the dog park, and the skate park. There is no sidewalk and the road is narrow and blind. What mitigation measures are the developers and the city offering to keep these pedestrians and cyclists safe?

113-2

Traffic on McKinley Boulevard: Last year the Sacramento Unified School District closed the school attended by most children in the part of Midtown to be most affected by traffic at McKinley Village. Kids in New Era Park and parts of Marshall School and Boulevard Park now attend Theodore Judah in East Sacramento, meaning many children walking and biking to school via McKinley Boulevard. This is already a route subject to heavy traffic and aggressive driving during the morning commute time, and it is frankly shocking that no tragedy has occurred so far. The additional traffic envisioned for McKinley Boulevard will make this route even more unsafe. What mitigation measures are the developers and the city offering to keep these children safe on their way to school?

113-3

Impact on Local Schools: As noted, Midtown's last public elementary school has been closed and Midtown children now attend Theodore Judah Elementary, which will also be the public school closest to McKinley Village. The staff and faculty at Theodore Judah has gone to great lengths to welcome the children from the recently closed Washington Elementary, but the fact remains that Theodore Judah is now at capacity, having to feed children in shifts at lunch time, move school functions off site to accommodate families, and give up office space for after school programs and extracurriculars for classroom space. Will the recently displaced Washington kids be displaced once again to make room for McKinley Village children? What mitigation measures are the developers and the city and school district offering to ensure that these kids are not once again shunted to another school?

113-4

The EIR answers none of these questions, and while I recognize the need for family housing in the Central City, this development continues to strike me as poorly planned and poorly located. Thank you.

113-5

Elizabeth Campbell
2718 D Street
Sacramento, CA

Letter 113: Beth Campbell, January 10, 2014

- 113-1: Commenter states the Draft EIR barely considers the traffic on 28th Street with the at-grade railway crossing creating backups and an additional 1,800 trips per day. Commenter states the Draft EIR does not address traffic to midtown and asks what mitigation is proposed.

Please see Master Response 9 regarding 28th Street train crossing, Master Response 4 regarding the 28th Street half closure and Master Response 5 regarding additional study locations. The Draft EIR did not identify impacts on intersections within 28th Street area, therefore no mitigation measures are required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

- 113-2: Commenter states that residents, including children, access Sutter's Landing via 28th Street, and inquires what mitigation is being offered to keep pedestrians and bicyclists safe.

Improvements to 28th Street between A Street and B Street are considered off-site improvements that will be part of the project condition of approval. The project is proposing to construct on 28th Street from B Street to A Street bike lanes and a sidewalk on the west side. The existing UPRR at-grade crossing will include modifications to the existing railroad crossing for the bike lanes and sidewalk.

- 113-3: Commenter states that due to school closures in Midtown, additional cyclists and pedestrians travel to Theodore Judah School via McKinley Boulevard. Commenter also states that additional traffic will make this route unsafe and asks what mitigation is offered.

The Draft EIR transportation analysis examined seven roadway segments between Midtown and Theodore Judah School on McKinley Boulevard. In addition, road segments to the east and west of Theodore Judah School were also studied (see DEIR Figure 4.9-1). Impacts to pedestrian access and facilities were considered in the transportation analysis (see Section 4.9 of the DEIR). Please refer to pages 4.9-55 and 4.9-56 of the Draft EIR, which includes a thorough analysis of potential impacts associated with traffic generated by the proposed project upon all study facilities located in the vicinity of Theodore Judah School. This analysis relied upon a conservative set of assumptions, and found that all study intersections in the vicinity of Theodore Judah Elementary School would continue to operate at LOS B or better with the addition of project traffic during the AM peak hour.

113-4: Commenter states that Theodore Judah School is at capacity following closure of Washington Elementary. Commenter asks if recently displaced Washington Elementary students will be displaced and what mitigation is offered.

Please see Master Response 2 regarding school capacity.

113-5: Commenter states the EIR answers none of the [above] questions.

The comment does not provide any evidence that supports the claim that the Draft EIR does not meet the CEQA Guidelines or that that project would result in significant environmental effects not already identified in the Draft EIR. Please see Responses to Comments to 113-1 through 113-4.

Comment Letter 114

Dana Allen, Associate Planner City of Sacramento
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: PO8-086
DEIR for McKinley Village Project

The following comments address two aspects of the McKinley "Village" proposed plan. 1st, as designed it is not mixed use; 2nd it is not diverse in housing opportunities.

1st on Mixed Use: A prized feature for many East Sacramento residents is close walk-able proximity to daily retail, dining and transit needs. Some retail and transit access has eroded and is continually missed. Why plan a new "Village" project that does not address basic daily retail, dining, and transit needs? The "Village" as designed does not contribute to convenient access for these needs of new residents or the existing adjacent neighborhoods. The deficit obviously requires increased use of automobiles for multiple daily trips, negatively affecting adjacent neighborhoods. How can this deficit be addressed within the "Village" to provide walk-able access and transit for daily retail including groceries, dining and personal care items?

114-1

2nd on Housing: What can be done to further include consideration of housing needs for the disabled and the growing senior population? Adding a unit to an existing home is not an adequate overall solution. Where can multi-family units be included addressing specific needs of the disabled and the senior population?

114-2

The City General Plan outlines goals to integrate mixed use and variety in housing types, increase use of public transit, and enhance existing neighborhoods. How, when and where will the City achieve these goals if not in each new project? How will the City achieve these General Plan goals in the McKinley "Village" project?

114-3

Thank you for the opportunity to comment,
Rose Luther, East Sacramento resident

Letter 114: Rose Luther, January 10, 2014

- 114-1: Commenter states that the proposed project does not include mixed-use features such as retail, dining and transit. Commenter states this will increase automobile use and asks how this can be addressed.

Please refer to the analysis of Alternative 4 (Higher Density/Mixed Use) in the Draft EIR (beginning on p. 5-21). See also Response to Comment 17-6 regarding proximity to transit and Responses to Comments 18-53 and 105-13 regarding retail uses.

The Draft EIR evaluated traffic associated with the proposed project in Section 4.9, Transportation and Circulation. Project-generated traffic is fully accounted for in all calculations included as part of the Existing Plus Project and Cumulative Plus Project analyses. Please refer to pages 4.9-38 through 4.9-62 of the Draft EIR for the analyses pertaining to the Existing Plus Project scenario, which layers project-generated traffic on top of existing traffic levels within the study area. Please refer to pages 4.9-73 through 4.9-92 of the Draft EIR for the analyses pertaining to the Cumulative Plus Project scenario, which evaluates the cumulative effects of the proposed project in addition to other planned infrastructure projects and land development projects in the area.

- 114-2: Commenter asks how multi-family units for disabled and senior residents could be incorporated into the project to address this housing need.

Please see Chapter 2 of this Final EIR for information on additional housing options provided that include one and two-story attached units. Those units provide single story living plans, with the second floor units accessed via an elevator from the entrance/foyer on the first floor.

The commenter's questions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 114-3: Commenter notes that the City's General Plan outlines goals to integrate mixed use and a variety of housing types, increase use of public transit, and enhance existing neighborhoods.

Please see Master Response 8 regarding General Plan consistency and Responses to Comments 18-32 through 18-47 for an overview of the project's consistency with general plan policies.

Comment Letter 115

Dana Allen

From: Kristin Rapinac <kristin.rapinac@gmail.com>
Sent: Friday, January 10, 2014 2:50 PM
To: Dana Allen
Subject: McKinley Village Draft EIR Comments

Hello,

I would like to submit the following comments on the Draft EIR for the proposed McKinley Village development:

- The draft EIR glaringly neglects to study the full effects of project traffic on the Midtown neighborhoods of New Era Park, Marshall School and Boulevard Park. ... 115-1
- The traffic study fails to demonstrate the traffic patterns of vehicles traveling to employment centers and businesses in Midtown and downtown via streets in New Era Park, Marshall School and Boulevard Park. ... 115-2
- If the suggested half-street closure at 28th and C is implemented, it is important to understand how this would alter traffic patterns. ... 115-3
- The proposal, which offers only two access points -- one of them a very active train crossing -- conflicts with a key residential design principle in the City's General Plan: "Multiple ingress and egress points into subdivisions. This allows for a more even dispersal of traffic through a neighborhood. It also allows for improved emergency vehicle access." ... 115-4
- No comprehensive evaluation of an access point at Alhambra is included in the report, despite many requests from residents and neighborhood associations. Access at Alhambra would resolve many traffic concerns. ... 115-5
- The study's primary focus is whether traffic from the proposed project would cause congestion on area roadways, without taking into account the effect of 3,500+ additional daily vehicle trips on the safety, health and quality of life of residents, pedestrians and bicyclists. ... 115-6
- The study fails to consider the effects of traffic on Sutter's Landing Regional Park, especially in the years and decades to come. ... 115-7

- Safety issues of a potential bicycle tunnel should be fully explored, as these tunnels have proved problematic in the past.

115-8

Respectfully,

Kristin Rapinac Graessle
2601 D St.
Sacramento, CA 95816
(207) 210-2178

Letter 115: Kristin Rapinac Graessle, January 10, 2014

115-1: The commenter states that more study facilities were studied in East Sacramento than in Midtown, despite the projection that more than half of the project-generated traffic would use the A Street access point. The commenter goes on to state that F Street and G Street along with numbered streets west of 28th Street were left out of the Draft EIR.

As stated on page 4.9-3 of the Draft EIR, study facilities were selected based on the project's expected travel characteristics (i.e., project location and amount of project trips) as well as facilities susceptible to being impacted by the project. During the NOP comment period, the study area was expanded to include several additional local street facilities in response to comments received. The Draft EIR includes evaluation of 32 intersections, 19 roadway segments, and 8 freeway facilities.

Please refer to Master Response 5 for additional information related to this comment.

115-2: Commenter states the traffic study fails to demonstrate the traffic patterns of vehicles traveling to employment centers and Midtown via streets in New Era Park, Marshall School and Boulevard Park.

This comment presumably refers to project-generated traffic that would travel through the northern portion of Midtown to access job centers located to the southwest of the proposed project site.

All east-west streets from D Street to H Street (located in the New Era Park, Marshall School, and Boulevard Park neighborhoods) currently have half-street closures in place. While C Street does not have half-street closures, the segment of C Street between 17th Street and 19th Street (adjacent to Blue Diamond Growers) is closed to through traffic, which requires through traffic to divert to a parallel route, similar to the result achieved by a half-street closure. Therefore, none of the east-west streets in Midtown located north of I Street currently provide for convenient through-travel relative to east-west streets located further to the south. Streets located to the south of this area (e.g., J Street and L Street) are one-way streets that provide for direct travel and feature multiple travel lanes and traffic signals with coordinating signal timing plans. For these reasons, east-west streets located in the northern portion of Midtown generally provide for local access to adjacent land uses, while arterial roadways to the south serve a mix of both local and longer distance trips.

Output from the SACMET regional travel demand model (which includes all land use designations within the study area) used to assist in the development of the project trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41,

4.9-43) indicates a much higher proclivity for trips to/from the proposed project to utilize the Capital City Freeway and/or one-way arterial streets located further to the south to access job centers located in Downtown Sacramento.

For additional information related to this comment, please refer to Master Response 5 (Additional Traffic Study Locations).

115-3: Commenter states it is important to understand how the proposed half-street closure at 28th and C Street would alter traffic patterns.

Please see Master Response 4 regarding the potential half-street closures on 28th Street.

115-4: Commenter states that the proposed project, which includes only two vehicular access points, violates a key design principle of the General Plan – to provide “multiple ingress and egress points.”

The addition of a third (or more) vehicle access is not required to address a significant circulation impact, including emergency access. See also Master Response 8 regarding general plan consistency.

115-5: Commenter states that a comprehensive analysis of an Alhambra access has not been included in the report, and that this access would resolve many traffic concerns.

Please see Master Response 1 regarding the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard.

115-6: Commenter states that the focus of the report is on congestion rather than the effect that 3,500 additional trips would have upon the livability of the neighborhoods.

Please see Master Response 10 regarding traffic and neighborhood livability.

115-7: Commenter states that the study fails to consider the effects of traffic on Sutter’s Landing Park.

The portion of A Street that crosses through the closed landfill will be fenced on both sides and landscaped. The fencing has been designed to meet current landfill fencing requirements and the City of Sacramento requirements. The number of vehicles estimated to use the A Street access, as discussed in Section 4.9 of the Draft EIR, is approximately 1,800 daily trips at the western access to the project site located on A Street, east of 28th Street. As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43), 52% of trips generated by the proposed project are projected to use this access point. As documented on page 4.9-

39, the total daily estimate of project-generated vehicle trips is 3,507. Therefore, approximately 1,800 trips will utilize the A Street access on a daily basis (52% of 3,507). The effect of the project on habitat at Sutter's Landing Park due to the extension of A Street was addressed in the Draft EIR. Please see Letters 13, 14 and 23 for information on impacts to the Park.

115-8: The commenter states that safety issues of the proposed bicycle/pedestrian underpass should be evaluated because these tunnels have been problems in the past.

As discussed on pages 4.9-58 and 4.9-61 the underpass would not result in potentially significant safety impacts to pedestrians and bicyclists. However, in response to comments received on the Draft EIR, the Final EIR includes changes to the underpass that include additional safety features to further reduce the already less than significant impact. Please see Chapter 2 of this Final EIR which includes a summary of changes to the project since the Draft EIR was released. This includes adding more safety features to this underpass, also detailed in Response to Comment 19-11.

Comment Letter 116

January 10, 2014

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., Third Floor,
Sacramento, CA 95811

Dear Ms. Allen,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the McKinley Village Project (P08-086). I would like to compliment the staff and consultants for the overall readability and generally complete analyses of alternatives, especially given the massive amount of data and complexity of issues. Most, if not all, of comments on the NOP are considered clearly.

116-1

My strong preference is for the No Build Alternative for two primary reasons. One: while not so stated in the current General Plan, I believe the city should make preservation of existing natural open space as much a priority as infill near the urban core; in the same way the East Bay park system in the hills provide respite and recreation for residents dealing daily with urban tensions, Sacramento needs to plan for similar respite from what will be increased development. Once developed, open space is gone forever, but it takes considerable vision to protect such land. This parcel could provide an extension of Sutters Landing Park, outdoor education opportunities, or, simply, natural open space. Two, this project does not meet criteria for genuine infill. As others have commented, it is basically a suburban design in a problematic location that, while internally pedestrian and bike-friendly, lacks the connectivity of good urban infill.

116-2

116-3

However, given that the project is proceeding, I have the following comments:

- I agree with the comments made by ECOS in their letter to you dated January 8, 2014, and the letter from Physicians for Social Responsibility dated December 19, 2013, would like to incorporate those into my comments by reference.
- I particularly would reiterate the ECOS recommendation to require the HOA provide for a shuttle service to the major nearby transit stops for the 30, 34, and 67 buses during peak hours, or to approach RT about extending service, perhaps as a Neighborhood Rides route. The project is currently largely automobile dependent: transit connectivity would make it a far better infill project.
- The Land Use section discusses compatibility with the General Plan and the East Sacramento Community Plan but does not discuss compatibility with the Central City Community Plan; given the projected increase in traffic on local residential streets, that Plan is relevant to the analysis. Also, note that the Neighborhood Preservation Transportation Plan (NPTP) was based on the goals of that plan to restore and maintain the residential nature of the streets, with an overall goal of ensuring livability, and should be acknowledged in the discussion of the half-closures and in consideration of the traffic impacts to C and 28th Streets, which will

116-4

116-5

116-6

Page 1 of 4

see deteriorated traffic conditions contrary to those goals. These goals are in keeping with the maxim of city planning that keeping viable and desirable residential neighborhoods in a central city increases the long-term stability of the urban core, and the General Plan goal to protect and enhance existing neighborhoods.

116-6
Cont.

- Traffic: I appreciate the extensive analysis in the Transportation and Circulation section, particularly of projected cumulative effects, but had questions about the projected traffic on 28th Street and other midtown streets.

The DEIR shows the C to E Street segment carries about 1470 more cars than 28th Street from E to I Streets, presumably because of access to the E Street on-ramp (current midtown residents who wish to travel to downtown would take city streets to the west of 28th).

116-7

If the E Street on-ramp is closed, residents from the existing midtown neighborhoods, plus whatever McKinley Village traffic wishes to head north on the Capital City Freeway, would more likely continue to travel to J Street to access that on-ramp, rather than head east on E Street. The impact to the whole of residential 28th Street to J Street would be likely be greater, unless the city takes strong measures to encourage through traffic to move from 28th to 29th Streets.

- As noted above, current residents or workers in midtown/downtown take city streets west of 28th to reach downtown. Given that a selling point of McKinley Village location is that it is close to downtown, one can assume a number of residents will head that direction.

Commuters to downtown jobs from McKinley Village are likely take to take 28th Street to get out of McKinley Village but will then turn onto lettered streets to reach the city core. Increase traffic can be expected on F and H and, particularly, C, G and I Streets, because those three offer straight routes to downtown from 28th Street. The DEIR analysis mentions the potential increase of traffic on those streets as percentages, but for C and I Streets, which already carry a significant traffic load, the percentages could be a tipping point affecting their residential nature. A more explicit analysis of the project's traffic impacts on the streets leading to downtown is needed. (Note: the discussion of cumulative effects to C Street is truly alarming, but I very much appreciate that it was included in this document – while I understand the Sutter's Landing Parkway may be dropped in the future General Plan, these data are very helpful in evaluating it)

116-8

- For the same reasons, the analysis should address how increased traffic could affect the safety of vulnerable populations on C and I Streets – specifically, how increases would affect the safety of children walking across C Street to and from Courtyard School and of seniors walking across I and 28th Streets, to and from the Senior Center.

116-9

- A half-street closure on 28th Street at C Street should **not** be considered. Although it would divert some traffic from McKinley Village to 29th Street, it would also severely impact C Street, which is also residential and which already carries a high volume of traffic compared to neighboring streets. Other kinds of traffic calming measures that would reduce impacts to

116-10

both streets should instead be investigated, including but not limited to signage to encourage 28th Street traffic to use 29th Street.

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- ECOS suggested a roundabout at the A Street/Street 1 intersection within McKinley Village to smooth traffic flow and reduce automobile/bicycle/pedestrian conflicts. Are there other places where a roundabout or traffic circle outside the development would serve the same mitigation functions, A & 28th Streets within Sutter's Landing Park or at 28th and C?

116-11

- Congestion: The analysis discussed likely congestion on both the north and south sides of the 28th Street railroad crossing due to trains sitting at that location while waiting for their turn to enter the station or travel east. However, air quality and noise effects on nearby residents, as well as on children and adults playing softball or other league games in Stanford Park, should be assessed, as well as the air quality, noise, and effects to both the existing and planned natural values at Sutter's Landing Park.

116-12

- Throughout the EIR, the proposed Alhambra bicycle/pedestrian tunnel is cited as a very important part of this project's livability and its qualification as a good infill project. However, as the EIR consistently notes, UP has not yet agreed to the tunnel, nor is there any discussion of a timeline for that approval (or disapproval). The final EIR should address all relevant effects should UP deny a permit for a tunnel at this point, including addressing the project's relative value as infill.

116-13

- If used only as a bike/pedestrian tunnel, the developer and city should have enhanced safety features on the Alhambra side of the tunnel, such as convex mirrors (the kind often used on blind corners) showing the area outside the tunnel. While the tunnel and immediate entrances may be well-lighted, the real danger for a pedestrian is potential threats hidden from view.

116-14

- The EIR states that the tunnel must be at least 12 feet wide to accommodate city maintenance vehicles and to allow emergency vehicles another point of access to the development. If the tunnel is approved, would it be possible for the developer to pursue design exceptions for normal street width or widen the tunnel slightly to provide a sidewalk, so that the tunnel could also be used as a one-lane access point, with traffic signals dictating directional flow through the tunnel? Having a third access point for automobile traffic would alleviate some of the traffic volume at 28th Street and at 40th Street, at least in commute hours. Bicycles could still use the tunnel, and, if a sidewalk is included, pedestrians.

116-15

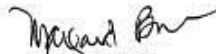
- Last, but definitely not least: the Public Services and Recreation section mentions Sutter's Landing Park (SLP) as a regional park (p.4.7-11) but is not mentioned at all in Section 4.7-4 (p.4.7-29), which should include an analysis of the project's potential to cause deterioration of existing parks. SLP is, in fact, the closest park to the development and the one most affected by the development. Aside from a rather dismissive comment elsewhere in the EIR that the wildlife of the park are used to ambient noise and urban uses so would not be affected by the new development, there is no good discussion here (or elsewhere) of the effect on SLP and its particular values, which includes not only the recreational facilities but

116-16
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its function as gateway to the riverine habitat and natural setting on the south side of the American River. (Note that this Park has a strong constituency in groups such as Friends of the River Banks, which sponsors monthly nature education programs in the park, Friends of Sutter's Landing Park, Friends of Swainson's Hawk, and Friends of the American River have long-standing concerns about the SLP losing its natural values to hardscaped facilities). The EIR should address how the influx of a minimum of 1800 automobiles a day at the park entrance affects the particular values of the Park.

Thank you again for the opportunity to comment on the DEIR. While I oppose the development, and notwithstanding the comments above, I very much appreciate the work that went into the analyses in the document and look forward to seeing concerns addressed.

Sincerely,


Margaret Buss
711 22nd Street
Sacramento, CA 95816
(916) 448-6246

Cc: Steve Hansen, City Council; Steve Cohn, City Council; Boulevard Park Neighborhood Association

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116-16
Cont.
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116-17
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116-18

Letter 116: Margaret Buss, January 10, 2014

116-1: The commenter provides her opinion that the Draft EIR is readable and notes that most if not all the NOP comments are considered in the analysis.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

116-2: The commenter states her preference for the No Build alternative and expresses her opinion that the site should be preserved as open space and feels the project does not meet the criteria for infill development.

Please see Response to Comment 18-48 that addresses the City’s definition of infill as it relates to this project. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

116-3: The commenter states her opinion that the project is a suburban design in a poor location and lacks the connectivity of urban infill.

Please see Response to Comment 18-48 that addresses the City’s definition of infill as it relates to this project. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

116-4: The commenter states her concurrence with Letter 17, ECOS and Letter 27, Physicians for Social Responsibility.

Please see responses to Letters 17 and 27.

116-5: The comment reiterates support for a recommendation included in the ECOS letter to require a shuttle to nearby transit stops during peak hours.

Please see Response to Comment 17-32.

116-6: The commenter states that the Draft EIR does not discuss compatibility with the Central City Community Plan, given that traffic from the project will use Midtown streets. The comment also notes that the livability of residential streets should be discussed.

The Draft EIR does not evaluate consistency and compatibility with the Central City Community Plan because the project site is not located within the boundaries of this planning area. There is no City requirement that every development project in the City

(or outside of the City as well) that generates traffic on Midtown streets be required to be consistent with the goals and policies of that plan.

Please see also Master Response 10 that addresses livability as it pertains to traffic and Master Response 4 that addresses the proposed half street closure.

- 116-7: The commenter states that if the E Street on-ramp is closed, impacts to 28th Street south to J Street would “likely be greater, unless the City takes a strong measure to encourage through traffic to move from 28th to 29th Streets.”

The commenter is referring to the on-going Caltrans planning process that would result in the closure of the E Street northbound on-ramp to the Capital City Freeway (Business 80). The E Street On-Ramp Closure project is a Caltrans project; additional information on this project may be obtained from the Caltrans website. The Draft EIR evaluated the closure of this ramp under the Cumulative Plus Project scenario and concluded impacts would be less than significant (DEIR, p. 4.9-63).

Please refer to Master Response 4 (28th Street Half-Street Closure) for a response to the portion of the comment related to shifting traffic to 29th Street.

- 116-8: The commenter states that residents of McKinley Village will utilize streets west of 28th Street to reach downtown. The commenter goes on to state that more analysis of impacts on the streets leading into downtown is needed.

All east-west streets from D Street to H Street currently have half-street closures in place. While C Street does not have half-street closures, the segment of C Street between 17th Street and 19th Street (adjacent to Blue Diamond Growers) is closed to through traffic, which requires through traffic to divert to a parallel route, similar to the result achieved by a half-street closure. Therefore, none of the east-west streets in Midtown located north of I Street currently provide for convenient through-travel relative to east-west streets located further to the south. Streets located to the south of this area (e.g., J Street and L Street) are one-way streets that provide for direct travel and feature multiple travel lanes and traffic signals with coordinating signal timing plans. For these reasons, east-west streets located in the northern portion of Midtown generally provide for local access to adjacent land uses, while arterial roadways to the south serve a mix of both local and longer distance trips.

Output from the SACMET regional travel demand model used to assist in the development of the project trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43) indicates a much higher proclivity for trips to/from the proposed project to use the Capital City Freeway and/or one-way arterial streets located further to the south to access job centers located in Downtown Sacramento.

For additional information related to this comment, please see Master Response 5 that addresses the request for additional traffic study locations in Midtown.

- 116-9: The commenter states that the Draft EIR should address how increases in traffic on C and I Streets would “affect the safety of vulnerable populations,” specifically children and seniors walking across the streets adjacent to the existing school and senior center.

As stated on page 4.9-61 of the Draft EIR, implementation of the project would involve the construction of curb, gutter, sidewalks, and planters per City standards. Therefore, impacts to pedestrian facilities are less than significant. Improvements to existing pedestrian routes adjacent to the existing school and senior center referenced by the commenter are not within the scope of the proposed project.

- 116-10: The commenter states a half-street closure at 28th Street and C Street should not be considered due to potential impacts to C Street, which currently carries higher traffic volumes than other parallel streets. The commenter goes on to request traffic calming measure other than half-street closures.

Please see Master Response 4 for a response regarding a half-street closure proposed on 28th Street. The half street closure is not proposed by the project, it has been requested by several commenters.

As documented on pages 4.9-37 and 4.9-38 of the Draft EIR, the City of Sacramento has a Neighborhood Traffic Management Program (NTMP) in place that allows neighborhoods to petition the City to install traffic calming devices. The Midtown neighborhood, which encompasses 28th Street, has completed this process in the past (DEIR Figure 4.9-3 documents existing traffic calming devices in the neighborhood). Additional traffic calming devices requested by the commenter in Midtown would be evaluated through a NTMP process after the identification of new issues related to safety, traffic speed, etc., within the Midtown area.

- 116-11: The commenter references a proposal for a roundabout at the A Street/Street 1 intersection within the proposed project site, and questions whether a roundabout could serve as mitigation for locations outside of the project site.

Mitigation measures related to project-specific impacts are documented on pages 4.9-60 through 4.9-62 of the Draft EIR. Mitigation measures related to cumulative impacts are documented on pages 4.9-89 through page 4.9-92. None of the mitigation measures identified in Section 4.9 of the Draft EIR include the installation of a roundabout.

- 116-12: The commenter notes that the air quality and noise associated with vehicles idling at 28th Street waiting for a train to pass by should be addressed.

Please see Master Response 9 that addresses the vehicle back up associated with trains passing by the at-grade crossing at 28th Street. Air quality and noise effects associated with traffic and the queuing of traffic at this intersection has been addressed in Sections 4.1 and 4.6 of the Draft EIR. As noted on page 4.1-44 of the Draft EIR the project would not result in concentrations of carbon monoxide (CO) that exceed the air district's thresholds.

- 116-13: The comment is referring to the proposed bicycle/pedestrian underpass and notes that the EIR should address the value as infill if Union Pacific does not approve this underpass.

Please see Master Response 1 that addresses the timing of this component of the project and Response to Comment 18-48 regarding the City's definition of infill as it relates to the project site, and Response to Comment 19-10 regarding the lack of effect on the environmental analysis in the Draft EIR if Union Pacific (as well as the appropriate government agencies) does not approve the underpass.

- 116-14: The commenter states there are safety concerns with the bicycle/pedestrian underpass and recommends additional safety features be included.

As discussed on pages 4.9-58 and 4.9-61 of the Draft EIR, the underpass would not result in potentially significant safety impacts to pedestrians and bicyclists. However, in response to comments received on the Draft EIR, the Final EIR includes changes to the underpass that include additional safety features to further reduce the already less than significant impact. Please see Chapter 2 of this Final EIR which includes a summary of changes to the project since the Draft EIR was released. This includes adding more safety features to this underpass, also detailed in Response to Comment 19-11.

- 116-15: The comment is asking if the bicycle/pedestrian underpass could accommodate a single lane of traffic and supports having a third access for vehicles.

Please see Master Response 1 that addresses the infeasibility of the bridge/roadway underpass at Alhambra Boulevard.

- 116-16: The commenter is stating that the Draft EIR did not adequately identify Sutter's Landing Park in Section 4.7 of the Draft EIR and did not address potential impacts to the park from the project.

Please see Letter 11, Friends of the Swainson's Hawk, Letter 13, Friends of the River Banks, Letter 14, Save the American River and Letter 23, Friends of Sutter's Landing Park for more information.

- 116-17: The comment states that the EIR should address how 1,800 vehicles passing by the park entrance will affect the value of Sutter's Landing Park.

The portion of A Street that crosses through the closed landfill will be fenced on both sides and landscaped. The fencing has been designed to meet landfill fencing requirements and the City of Sacramento requirements. The landfill or 'mound' area is also fenced with no public access permitted. Therefore, there is no expectation that project residents will have access to this area while the landfill is still closed (10+ years).

Residents driving along A Street and living across the freeway south of the closed landfill (Sutter's Landing Park) will generate noise and activity in this area. However, as noted on page 4.2-7 of the Draft EIR, much of the common habitat that use this area have adapted to the urban environment given the proximity to the Capital City Freeway and ongoing activities at the closed landfill. This is also true for the special-status bird species that use this area for nesting and foraging. These birds have adapted to the noise and activities present in an urban, developed environment and are even selecting nest sites in trees located in residential neighborhoods. The introduction of cars, noise and lights in this area would not be distinguishable from the ambient noise of the freeway and would not introduce any activities that are not already present in the larger, surrounding area.

- 116-18: The commenter notes her opposition to the project.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 117

Dana Allen

From: Gary Brill-Lehn <ggbrillehn@gmail.com>
Sent: Friday, January 10, 2014 3:16 PM
To: Dana Allen
Subject: Response to DEIR for McKinley Village proposed development

These are responses from Gary and Susan Brill-Lehn, 609 -40th Street, Sacramento, to the Draft EIR for McKinley Village. Thank you for including ours in the body of responses received from our many East Sacramento neighbors who are concerned about this proposed development.

We do not feel that there has been adequate analysis of both direct and indirect impacts of the proposed project (including all future phases and reasonably foreseeable facilities necessary to support the project) in the Draft EIR as is discussed below:

The Draft EIR (section 4.7 states that the impact of adding 144 elementary students [to Theodore Judah] is "less than significant". This analysis is based on the student generation and capacity figures from Sacramento City Unified District staff but fails to address all aspects of the issue. We note that the said school district is quoted in SCUSD August 1, 2013 Board Meeting Response to Public Comment in response to the question: "Are these sites able to handle the increased capacity within the development's timeframe?" Their response states that: "assigning the students to Theodore Judah could create the need for additional capacity triggering Division of State Architect modifications. A transition plan would need to be developed to include, but not limited to, a plan for interim housing during renovation, community outreach and funding." Capacity is only based on number of school rooms and does not consider the impact on ancillary school services. Already the old cafeteria is unable on some days to process current student through lunch in a timely manner and may need to be modified to accommodate increased volume of children. Theodore Judah houses after-school programs that may need to be closed due to new students. This will significantly impact working families in the local area who cannot drop work in order to get to school at 2pm. The above-referenced modifications may be very significant and costly if they require retrofitting.

117-1

With respect to the Alhambra Blvd alternative entrance/exit, we feel that there was inadequate independent review by analysts beyond the project proponent and ask the City to include a comprehensive analysis of this alternative by objective experts:

Moving the entrance/exit away from narrow streets in the heart of a small neighborhood and onto a major thoroughfare would go a long way toward increasing acceptability of the McKinley Village project.

117-2

With respect to the proposed mitigation suggested by the DEIR to add a dedicated right turn lane on Alhambra toward McKinley Blvd, we are very concerned that it will further limit the number of parking spaces for the McKinley Library, Clunie Clubhouse, McKinley Pool and the McKinley Park playing fields and playground.

This is a major regional park and needs to have adequate parking. Due to bus route set asides, church set asides, and other special requirements, we end up with almost no adequate parking now. If the dedicated right turn lane reduces the spaces further at a time when more users will be coming on

117-3

board from McKinley Village and other development projects in the area, the City's investment in its facilities at McKinley Park will be seriously short-changed.

We do NOT feel that a street light at 33rd St. and McKinley Blvd is advisable. If the traffic analysis numbers are accurate, that intersection is and will be a low LOS and it does not warrant the traffic light

↑ 117-3
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| 117-4

Letter 117: Gary Brill-Lehn, January 10, 2014

- 117-1: The commenter is raising concerns regarding schools and states that direct and indirect impacts have not been addressed.

Section 4.7, Public Services and Recreation addresses potential impacts to schools. As noted on page 4.7-27, the project would pay required school impact fees to mitigate any potential impacts to schools. The impact to schools was determined to be less than significant. Please see also Master Response 2 that addresses school capacity issues in more detail.

- 117-2: The commenter is requesting that the City include a comprehensive analysis of using Alhambra Boulevard for vehicles.

Please see Master Response 1 that addresses the infeasibility of constructing a bridge/roadway underpass at Alhambra Boulevard.

- 117-3: The commenter is raising a concern regarding adding a dedicated right turn lane on Alhambra Boulevard and is concerned it will limit parking spaces.

Mitigation Measure 4.9-6(b) on page 4.9-90 of the Draft EIR mitigates an impact to the E Street/Alhambra Boulevard intersection under Cumulative Plus Project conditions. This mitigation measure would prohibit on-street parking on the west side of Alhambra Boulevard during peak periods (7-9 AM and 4-6 PM) to allow for the installation of a right-turn lane (which will replace the existing bulb-out). The installation of the turn lane is not a requirement for this project, but it may be installed when warranted and the project must provide a fair share contribution towards this improvement.

- 117-4: The commenter states that a street light at 33rd and McKinley Boulevard is not advisable and is not justified based on the level of service.

While no project specific impacts were identified to the McKinley Boulevard/33rd Street intersection, the Draft EIR analysis found that this location would be significantly impacted under Cumulative Plus Project conditions during both the AM and PM peak hours (DEIR p. 4.9-76). Mitigation Measure 4.9-6 included in the Draft EIR includes a fair share contribution toward the installation of a traffic signal at the McKinley Boulevard/33rd Street intersection, which would improve peak hour operations to LOS A during both peak hours (DEIR p. 4.9-90). The installation of the traffic signal is not a requirement for this project, but it may be installed when warranted.

Comment Letter 118

Dana Allen

From: TIM DAVIS <t.davis@me.com>
Sent: Friday, January 10, 2014 3:20 PM
To: Dana Allen
Cc: Steve Cohn; Steve Hansen; Mayor Johnson; Angelique Ashby; Allen Warren; Jay Schenirer; Kevin McCarty; Darrell Fong; Bonnie Pannell
Subject: Draft Environmental Impact Report (DEIR) for the McKinley Village project

Dear Ms. Allen,

I am writing because I have grave concerns regarding the Draft Environmental Impact Report for the proposed "McKinley Village" project. I feel that it does not adequately address and inaccurately addresses, the significant impacts on the existing neighborhoods with increased traffic, noise and air pollution, and an overburdening of the nearby schools. I also feel the project is an ill-conceived design with increased house density, lack of public transportation, as well as flood and air pollution issues. And, it is not consistent in design with the surrounding neighborhoods. I feel it would be irresponsible for the city to approve this project as is proposed... this is not Smart Growth, this is suburban sprawl!

118-1

The proposed project does little to promote a sense of community as its an isolated location completely surrounded by the highway and railroad levees, it does not protect the integrity and vitality of the surrounding neighborhoods. McKinley Village Project will create adverse side-effects to the existing Midtown and East Sacramento communities by forcing higher levels of car travel on the local road system, increasing traffic on already crowded neighborhood streets (and adding the air, noise, and safety impacts that come with an increase in traffic), as well as placing an additional burden on existing public services, especially related to neighborhood schools.

118-2

Also, I agree with the following request made to you on December 19th, 2013 by Physicians for Social Responsibility. The Draft Environmental Impact Report for McKinley Village should expand its scope as the 700 physicians of our communities outline in their letter below:

Physicians for Social Responsibility
 10 Dumfries Court
 Sacramento, California 95831
 www.sacpsr.org • info@sacpsr.org
 916 955-6333

December 19, 2013

Dana Allen, Associate Planner, City of Sacramento Community Development Department 300 Richards Blvd, 3rd Floor Sacramento, California 95811

By e-mail: dallen@cityofsacramento.org

Re: Draft Environmental Impact Report (DEIR) for the McKinley Village project

118-3

Dear Ms. Allen:

The DEIR for the McKinley Village project does not adequately address the health impacts for the residents of the proposed project. As stated on page 4.1-5 in Section 4.1 (Air Quality and Climate Change), Sacramento County's levels of ozone and particulate matter are above attainment levels. Regional air pollution already places our entire community at risk for adverse health effects.

It is well established that proximity to highways is associated with adverse health impacts. According to an August 23, 2012 report by the California Air Resources Board (CARB)[1], these include: exacerbation of asthma, impaired lung function, increased heart disease, new-onset chronic obstructive pulmonary disease, a faster progression of atherosclerosis, increased risk of premature death from circulatory disease, and increased incidence of new heart disease. Other effects include increased risk of low birth weight and increased risk of preterm delivery for mothers.

Numerous peer-reviewed studies have documented the additional health risks for children living in close proximity to highways.

These health impacts include an increase in asthma in children who live within 417 meters (1/4 mile) of a major roadway (as evidenced by higher incidents of wheezing requiring inhaler use and increased hospitalizations).[2] Studies also show that exposure to near-roadway pollutants (independent of regional air pollution levels) add additional risk as evidenced by lowered childhood lung function.[3]

Recent research has also shown that living within 309 meters (0.2 miles) of a freeway during the third trimester, after adjusting for other variables, is associated with an increased risk of having an autistic child.[4]

It is our understanding that the entire project will be located within 417 meters of the freeway and it is anticipated that the closest residence will be 58 feet from the freeway (Appendix C, page 1). CARB recommends avoiding "siting new sensitive land uses within 500 feet of a freeway." [5] This recommendation is acknowledged in the DEIR in Appendix C, p. 10-11.

The best available scientific research indicates that significant health impacts for children can be lessened if they live at least 1370 feet (417 meters) from a major roadway. This information should be considered as this project is being reviewed.
Sincerely,

Harry Wang, MD, President, Physicians for Social Responsibility/Sacramento

[1] California Environmental Protection Air Resources Board. Status of research on potential mitigation concepts to reduce exposure to nearby traffic pollution, August 23, 2012, p. 2-3.
 [2] Brown MS, Sarnat SE, DeMuth KA, Brown LA, Whitlock DR, Brown SW, Tolbert PE, Fitzpatrick AM. Residential proximity to a major roadway is associated with features of asthma control in children. PLoS One. 2012;7(5):e37044. doi: 10.1371/journal.pone.0037044. Epub 2012 May 17.
 [3] Urman R, McConnell R, Islam T, Avol EL, Lurmann FW, Vora H, Linn WS, Rappaport EB, Gilliland FD, Gauderman WJ. Associations of children's lung function with ambient air pollution: joint effects of regional and near-roadway pollutants. Thorax. 2013 Nov 19. doi: 10.1136/thoraxjnl-2012-203159.
 [4] Volk HE, Hertz-Picciotto I, Delwiche L, Lurmann F, McConnell R. Residential proximity to freeways and autism in the CHARGE study. Environ Health Perspect. 2011 Jun;119(6):873-7. doi: 10.1289/ehp.1002835. Epub 2010 Dec 13.
 [5] California Environmental Protection Agency California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005, p. 10.

Sincerely,

Tim Davis
423 Santa Ynez Way
Sacramento, Ca 95816

Tim Davis Creative
Phone: (916) 737-1433 • Cell: (916) 747-5855

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118-3
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Letter 118: Tim Davis, January 10, 2014

- 118-1: The commenter expresses concerns regarding the Draft EIR due to inadequate consideration of significant impacts on existing neighborhoods, including traffic, noise and air pollution, and schools. The commenter also offers the opinion that the project is ill-conceived and urges the City not to approve it.

Please see Master Responses 3, 4, and 10 for additional information regarding these concerns. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 118-2: The commenter states that the project "does little to promote a sense of community" and does not protect surrounding neighborhoods. The commenter reiterates concerns regarding increased traffic and schools.

Refer to Master Responses 3, 4, and 10 for additional information regarding these concerns. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 118-3: The commenter expresses agreement with a request from the Physicians for Social Responsibility and includes a copy of their letter, which is also included as comment letter 27.

Please see responses to Letter 27, Physicians for Social Responsibility.

Comment Letter 119

January 10, 2014

Ms. Dana Allen, Associate Planner
City of Sacramento, Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, California 95811

RE: McKinley Village DEIR Comments

Dear Ms. Allen:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the McKinley Village project.

The DEIR does not adequately or objectively address the impact McKinley Village traffic will have on the surrounding neighborhoods, and instead only studies the Level of Service (LOS) from the driver's experience. As McKinley Village will utilize only narrow neighborhood streets for vehicle ingress and egress instead of major existing arteries such as Lanatt/Elvas and Alhambra, the project is inappropriately reliant on narrow streets which will create unsafe conditions for the children and residents.

119-1

While I have provided more precise comments below, I also wish to express my support for the comments submitted by Tina Cerruti and the Neighbors United for Smart Growth group.

Chapter Four – Section 9 Transportation and Circulation

Figure 4.9-7 Claims neither Tivoli, nor McKinley Blvd between 40th and Meister will realize *any* of the McKinley Village *inbound* traffic. Given the lack of retail located within McKinley Village -- and the proximity of these streets to Compton's Market -- as well as the close proximity of this area to Theodore Judah Elementary, I question whether these figures can possibly be correct and ask them to be restudied.

119-2

I also call into question the claim that A Street will carry 52% of the inbound trip distribution, especially given the volume of trains that cross over 28th Street. I believe residents will develop a pattern of not using the 28th Street location and therefore favor 40th Street access. The DEIR does not study patterns of drivers who have a choice to cross over busy railroad crossing versus alternative access that is not blocked by railroads. I ask that this be studied and addressed.

119-3

Figure 4.9-8 Claims neither Tivoli, nor McKinley Blvd between 40th and Meister will realize *any* of the McKinley Village *outbound* traffic. Given the lack of retail located within McKinley Village -- and the proximity of these streets to Compton's Market -- as well as the close proximity of this area to Theodore Judah Elementary, I question whether these figures can possibly be correct and ask them to be restudied.

119-4

I believe residents will develop a pattern of not using the 28th Street location and therefore favor 40th Street access. The DEIR does not study patterns of drivers who have a choice to cross over busy railroad crossing versus alternative access that is not blocked by railroads. I ask that this be studied and addressed.

119-5

When comparing Figure 4.9-6 Peak Hour Traffic Volumes (Existing) and Figure 4.9-9 Peak Hour Traffic Volumes and Lane Configurations – Existing Plus Project Conditions it displays that the McKinley Village project will generate *no* additional car trips on Tivoli, nor McKinley Blvd between 40th and Meister, even during peak times (however, in Table 4.9-9 it displays an increase from 1,500 to 1,502 Average Daily Traffic). It is not realistic -- especially given the close proximity of McKinley Village to Theodore Judah Elementary and Compton’s Market – that a project of this magnitude will have variably no impact to these areas. This should be readdressed.

119-6

Merced Underpass

The utilization of existing major arteries for the McKinley Village project is too important to the surrounding neighbors for the City of Sacramento to ignore. In fact, there is an opportunity for the McKinley Village developer to pursue an underpass at Alhambra at a cost that is much lower than their current estimates. Attached is a recent underpass project completed in Merced. We request that the City of Sacramento work to find a way as to how a similar approach could be applied to McKinley Village, specifically at the Alhambra location.

119-7

As a steering committee member of Neighbors United for Smart Growth, I am forwarding this Merced underpass project information on their behalf.

Again, Dana, thank you for the opportunity to provide comments.

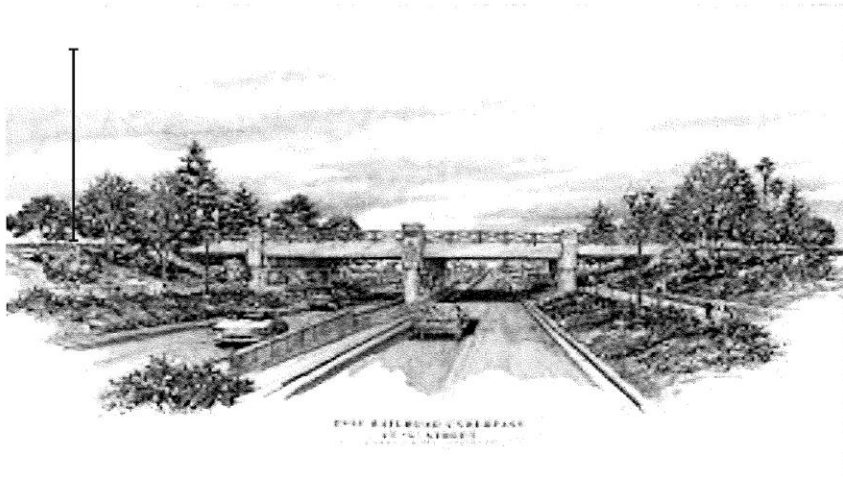
Sincerely,

Rob Finley
4026 McKinley Blvd
Sacramento, CA 95819

Attachments

- DEIR Cover
- BCA Award Info
- BCA RR Underpass Info
- G Street Photos
- Unaltered BCA webpage

POTENTIAL FOR A RAILROAD UNDERPASS
AT
ALHAMBRA BOULEVARD



Neighbors United
for Smart Growth

Introduction

This information was prepared by Neighbors United For Smart Growth, an East Sacramento and Midtown group of citizens and residents, who believe that the vehicular access to the proposed McKinley Village project would better serve the existing as well as new neighborhoods if it were constructed at Alhambra Boulevard.

This packet contains information on a relative new and innovative method of constructing a roadway beneath an existing active railway without the traditional use of a shoofly. This method of construction allows trains to continue operation on existing track while construction of a vehicle underpass is completed.

In 2011 this method was developed and used to build an underpass in the city of Merced at an at grade crossing. The Engineering was done by Biggs Cardoso and Associates (BCA) and commissioned by the City of Merced who worked closely with BNSF Railroad and the engineering firm to get the project completed under budget and ahead of schedule.

The first page in the packet is a description of the Merced project from the BCA website. This is followed by a summary of the project as described in an California Engineering Excellence Award received by BCA in 2012 for their work on the project. The details of the Merced project, in the form of BCA's application for the award, follows. A similar project using the same method is now being started in Stockton.

The developer of McKinley Village has stated that the cost of building a shoofly over Interstate 80 is prohibitive and the reason that Alhambra Boulevard is not possible. We think that this newly developed option of foregoing a shoofly and building a vehicle underpass beneath an active railway has not been thoroughly vetted or explored. We have talked with both the lead engineer from BCA on the Merced project as well as the project manager from the City of Merced. From these conversations we have concluded that it is entirely possible to create a vehicle access at Alhambra without a shoofly of interruption of rail traffic.

These materials are provided to spur exploration and discussion of alternatives to the 40th Street access and demonstrate the logistic and financial feasibility of a much more logical access at Alhambra Boulevard.

Please direct questions or further inquiry to nusg.sacramento@gmail.com

Contents

- Brief Description of Merced G Street Underpass Project From The Biggs Cardosa Associates Inc. (BCA) Webpage
- 2012 Engineering Excellence Award Received by BCA for the Merced G Street Project
- Description of The Collaborative and Innovative Construction of the Merced G Street Railroad Undercrossing described in the BCA Engineering Award Application
- Photographs of the project provided by John C. Sagin, Jr. AIA, Principal Architect, City of Merced
- Contact List of Principals Involved in the Project

Contact List

Neighbors United For Smart Growth

Tina Cerruti, NUSG Steering Committee:

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tinabethcerruti@yahoo.com

City of Merced

John C. Sagin Jr. AIA, Project Manager: 209-385-6802

saginj@cityofmerced.org

David Gonzalves, Development Services Director: 209-385-6818

gonzalvesd@cityofmerced.org

Biggs Cardosa Associates

Richard Sanguinetti, Lead Engineer 559-449-8686 X 4106

rsanguinetti@biggscardosa.com

Burlington Northern Santa Fe Railroad

John Stilley, BNSF Public Projects Manager 909-386-4474

A. ROLE OF THE ENTRANT’S FIRM IN THE PROJECT

Prime Consultant and Structural Engineer

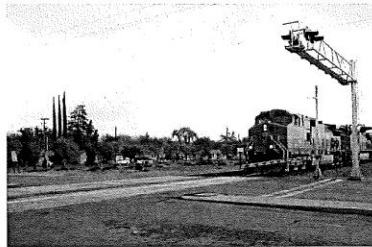
B. ROLES OF OTHER CONSULTANTS PARTICIPATING IN THE PROJECT

- BNSF Railway Company—Contractor (underpass bridge)
- Teichert Construction—Contractor (completion of bridge, roadway, stormwater, utilities)
- BKF Engineers—Civil Engineer
- HDR—Rail design
- Parikh Consultants—Geotechnical Engineer
- Zeiger Engineers—Lighting
- Heacox Associates—Landscape Architect
- Bender Rosenthal—Right-of-way appraisals and negotiations

C. BRIEF DESCRIPTION OF THE ENTRANT’S CONTRIBUTION TO THE PROJECT

Overall Project Description

In the city of Merced, long freight trains created frequent and significant traffic congestion and delays for automobiles, especially during peak-hour traffic. The city’s three major cross-town roadways all had signal-controlled, at-grade crossings of the Burlington Northern and Santa Fe Railway Company (BNSF) line. This heavily used rail line carries 12 Amtrak trains and up to 70 freight trains a day. Because the community hospital is on the other side of the rail lines from the majority of the city’s population, emergency medical crews transporting patients and on-call doctors rushing to the hospital frequently encountered delays caused by trains. Police and firefighting teams also routinely faced delays. In 1931, this particular crossing was the infamous site of an accident involving a school bus and a freight train that resulted in the death of 6 schoolchildren. This accident was the catalyst that led to the law that all school buses must stop at railroad crossings.



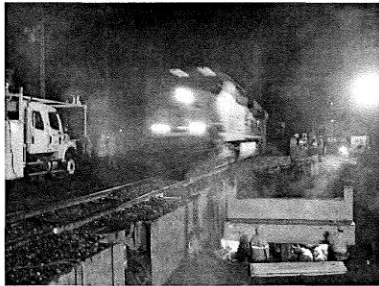
To improve safety, reduce traffic congestion, and provide a reliable route for the City’s emergency services, the City obtained grant funding from the California Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) to create its first grade separation at the intersection of the BNSF line and G Street. An underpass was the most economical and least disruptive solution due to its smaller footprint. Rather than build a temporary at-grade railroad crossing (shoofly) for the construction period, the team chose to stage-construct the underpass within several hours-long construction windows with uninterrupted live railroad traffic. Pile driving occurred during the day, taking advantage of very short windows and repeatedly swinging the pile driver out of the way of approaching trains. Construction of the main portions of the underpass; the girders, the bent caps and the track, occurred for the most part on weekend nights, with BNSF shutting down one of the two tracks for a period of 12 to 16 hours.



In order to expedite approval and construct the project under live railroad traffic without impacting BNSF operations, the City took the bold and unorthodox decision to contract the construction of the bridge directly with BNSF’s construction division. Biggs Cardosa Associates (BCA) designed the bridge and worked with BNSF’s construction crews in a design-build arrangement to conform to BNSF’s construction techniques, available supplies, and equipment.

The BNSF Railroad Underpass at G Street carries a main track, a siding track, and a maintenance road over four lanes of depressed roadway traffic (six lanes of future traffic). The 145-foot long bridge consists of four precast concrete box beam simple spans. The substructure consists of precast concrete abutments and bent caps, steel piles, and cast-in-place concrete pier walls.

Original or Innovative Application of New or Existing Techniques



Construction of the underpass without a shoofly
 At the outset, BCA and the team investigated a variety of options for constructing the underpass. In a typical project of this kind, a shoofly is built to direct trains around the construction zone to avoid affecting railroad operations, but in this case, the intersection’s proximity to the newly built Amtrak station and recently installed train switch made that option exceedingly expensive. Building a shoofly would have added an additional \$6 million to the project, temporary platforms at the Amtrak station, and an additional temporary (and potentially dangerous) track crossing for Amtrak passengers. The City would also have had to acquire the land to place the shoofly, an expensive proposition that would also have disrupted the back yards of nearby residents.

BCA worked with BNSF to identify an alternate solution: construct the bridge under live railroad traffic without the use of a shoofly, using short one-day closures of one track at a time on weekend nights. The bridge is supported by driven steel piles that facilitated top-down construction. The driven piles performed double duty. They provided temporary bridge support during excavation of the depressed roadway, and became part of the permanent concrete substructure. The use of precast girders, bent caps, abutment caps, and wingwalls all contributed to expediting the construction schedule of the bridge. After the piles were driven, BNSF crews essentially built a one-track bridge in 12 to 16 hours. Within this window, they removed a portion of the track, excavated to within a couple of feet from the top of the piles, placed the bent and abutment caps, welded them to the piles, placed the precast girders, reinstalled the ballast and replaced the removed section of track.

“This was a really creative solution for the trains and the automobile traffic. BCA helped us show the City Council and the public that this was the best solution, and that it was in the best interest of everybody to close the road and build the bridge under live tracks. They cut 15 months off the project and saved millions of dollars. This teamwork was the reason that this project came in on time and on budget. Now everybody’s happy.”

—David Gonzalves, Development Services Director, City of Merced



Use of Railroad Company as Contractor

Typically, railroad companies design and construct their own bridges, but it is highly unusual for a railroad to serve as a contractor for a bridge designed by a consultant for a local agency. BCA involved BNSF extensively from the start to ensure the process would go smoothly. BCA analyzed previous examples of BNSF’s underpass designs and made sure that the G Street Underpass relied on the materials and standards that the railroad company typically used. Construction of all other elements, including the roadway, storm water utilities and associated sidewalks, were performed by the City’s contractor, Teichert Construction.

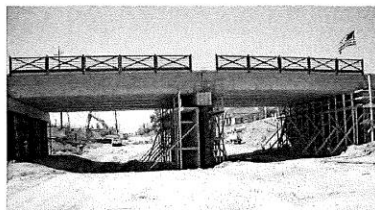
Using BNSF as the Contractor gave the railroad company the necessary level of comfort that their operations would not be impacted by constructing the bridge under live railroad traffic, and was instrumental in gaining BNSF’s approval of this unusual construction methodology. It also enabled BCA to design shoring systems closer to live tracks than required by BNSF’s specifications. This was a critical condition to the feasibility of the proposed system.

“BCA was able to use one of our standard bridge designs with standard span lengths and materials. Had they designed a fresh bridge that didn’t draw on the standards that we use, we wouldn’t have had the right frames, and we wouldn’t have had the availability of materials. This way, we could get everything built really quickly. BCA was great to work with. They had a good design, they worked with our people to use what we could easily install, and they were out there to make sure that it was all done according to plan.”

—John Stille, Manager, Public Projects, BNSF Railway Company

Top-down construction

BCA designed the underpass to enable the shortest construction period possible by employing top-down construction, which minimizes the amount of excavation during the construction of the bridge. By excavating only enough soil to place the bridge girders, an adjacent live rail track is able to stay open without an expensive, tall shoring system. Once BNSF completed their portion of the underpass, the City’s contractor, Teichert Construction dug underneath, completed the sub structure and created a four-lane roadway, bicycle lane/shoulders and sidewalks. With the rail traffic on the bridge above, Teichert Construction was freely able to complete the remaining project construction without disrupting rail traffic.



Future Value to the Engineering Profession

The project advances a positive public image of engineering excellence by demonstrating how creative engineering solutions can significantly enhance public health and safety in a timely and highly cost-effective fashion, resulting in an aesthetically appealing undercrossing.

“At first, many members of the public were against the project because of the disruption that construction would cause, but once they saw how well it was going, once they saw that it’s on time and on budget, even with the months of heavy rain we had during construction, everyone became excited about it.”

—David Gonzalves, Development Services Director, City of Merced



“We had never done anything like this before in the city of Merced—no one had any experience doing an undercrossing—and it has come out beautifully and works extremely well. This is going to be one of the nicest undercrossings in the area. There's nothing like this in the San Joaquin Valley. Most of the other undercrossings are very stark and ugly—this one is going to be beautiful.”

—John Sagin, Project Manager, City of Merced

Social, Economic, and Sustainable Design Considerations

Before the construction of this grade separation, local public safety officials estimated that a total of two hours of emergency vehicle response time were lost to rail traffic delays each day. The grade separation significantly reduces response time for emergency providers, including ambulances, fire protection, medical first responders, and police services.

The grade separation improves air quality in the San Joaquin Valley air basin by eliminating automobile traffic backups due to train delays, significantly reducing carbon emissions. The City estimated that the grade separation would eliminate 1,369 pounds per year of PM10, CO2, and NOx caused by idling vehicles waiting on the trains. Train horn use during all hours of the day and night can be much less frequent because of the elimination of the at-grade crossing.

The City is also incorporating local art into the project to create additional aesthetic appeal and ward off graffiti. The City selected two local artists to decorate the underpass upon completion, with murals depicting the city as well as a walkway and a series of ceramic tiles featuring local landmarks and images of California.

Complexity

BCA facilitated frequent meetings early in the project, bringing together the City, BNSF, and other entities as necessary. These meetings were crucial to the project's success. Coordination with PG&E and AT&T was also essential, because in order for pile driving to occur, these two utilities needed to temporarily relocate high voltage power lines and banks of fiber optic lines away from G Street in time for the start of construction. In the case of PG&E, G Street is a major power transmission corridor, and the lines had to be moved during the summer, when energy use is at its peak. Both utilities moved their lines in time for construction to begin on schedule, a very tall order given the complexity of the relocations and the extremely accelerated schedule. BCA and the City jointly coordinated the relocation design and the construction with PG&E and AT&T.

Extensive public outreach was required. The City put together a task force, the “G” Street/BNSF Railroad Undercrossing Citizens’ Advisory Ad-Hoc Committee, to meet with City staff to share information, garner public input, gather comments and ideas on specific design aspects (such as road connections, traffic control, and aesthetics) and on traffic reduction/calming strategies, and bring input from the committee to the City’s design and consultant team. The committee included residents from the surrounding neighborhood and representatives from local businesses, schools, and the citizenry at large. The advisory committee met multiple times and provided comments on topics such as pedestrian safety, infrastructure design, property rights, and neighborhood compatibility. BCA incorporated extensive input from the advisory committee.

The adjacent Ragsdale community, originally a vocal opponent to the project, turned into a project supporter through their involvement in the ad-hoc committee.



The project involved building three bridges: one for the main track, one for the siding track, and one for BNSF's maintenance road. During construction, BNSF shut down one track at a time and transferred all trains to the adjacent track for a period of 12 to 16 hours, usually at night on weekends. The piles were driven between oncoming trains. During a 2-hour interval between trains, the crane would swing into place, drive a pile between the rails, and then swing out of the way in time for the next train to pass. Safety considerations were crucial for a

construction project that had to take place during the night, when visibility is poor and workers must avoid fatigue while functioning against their biological clocks. Lighting equipment was required to illuminate the construction site. The work had to follow not only OSHA regulations but also Federal Railroad Administration safety regulations, which are stricter than those associated with general construction. Piles were driven in the intervals between passing trains, which required extensive care to ensure safety of crew and equipment, especially important given that the trains traveled past at speeds of up to 65 miles per hour.



“Since we are the railroad operator and the track owner, but we were not designing the bridge, there were times when issues arose that we didn’t have the answer to. What really helped smooth the process was that my supervisor on the ground had close contact with the engineers on the ground as well as the City. Having everyone there on site together to resolve issues was very beneficial. It certainly shortened the process a lot. We could communicate much more effectively to resolve issues in a timely manner and adjust plans and the design as necessary based on what we encountered in the field. I thought that worked really well.”

—Stephen Hedemann, Structures Supervisor, BNSF Railway Construction

Exceeding Client/Owner Needs

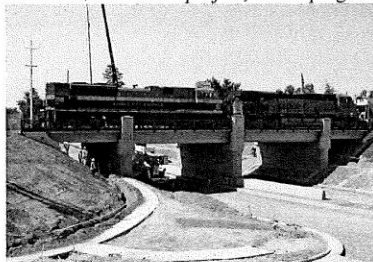
BCA engaged with the City of Merced and with BNSF extensively throughout the project, identifying a number of options with cost estimates and incorporating extensive public input. One of the most noteworthy achievements on this project was the design team’s adherence to an extremely aggressive schedule. When BCA was given Notice to Proceed with the project in May 2008, only a very rough concept existed. In June 2010, the project was awarded for construction. Within those 26 months, the design team filed a Statutory Exemption from CEQA, completed a feasibility study and PS&E, coordinated the relocation of multiple utilities, participated in



community outreach efforts, and supported the City’s efforts to acquire six full parcels and several partial takes and award an early demolition contract to clear the right-of-way. Although the project was likely the least advanced project approved for funding under Prop 1B’s HRCSA program, it was the first project to be constructed under the program.

The California Transportation Commission had approved an \$18 million project, so keeping the project within that budget was of utmost importance. The project came in within that budget, including engineering, construction costs, and property acquisition. It is exceedingly rare to construct a grade separation of this complexity for less than twice that amount.

Total project budgeted cost: \$18 million
 Total project actual cost: \$12.5 million
 Entrant’s portion of the budgeted cost: \$18 million
 Entrant’s portion of the actual cost: \$12.5 million



Scheduled and actual date of completion: Construction began on July 19, 2010. The underpass was completed in October of 2010. The roadway is on schedule to be complete by the end of October 2011, in advance of the anticipated completion date of December 2011.

“BCA was exceptional. They worked evenings, weekends, and nights, whenever we needed them, because of the need to get this project done on time. They bent over backwards and made sure that we got whoever we needed and whatever answers we needed to move this project forward. With all projects, revisions come up, and BCA’s response time was absolutely excellent. In addition to their design, which worked out great, their response to our needs and the needs of the community was excellent.”

—John Sagin, Project Manager, City of Merced

“Michael Thomas and Richard Sanguinetti sat down with us from the beginning and worked through the environmental impacts and the design. They took our input instead of having their own preconceived ideas, and they truly listened to the public. The result was that we had an easier time designing and selling the project to our community. The principals were out there under that bridge at 3:00 in the morning with us, enabling us to complete the work necessary during the windows of time that the railroad company gave us. That says a lot.”

—David Gonzalves, Development Services Director, City of Merced

“For a grade separation project to go from concept through feasibility study, environmental clearance, final design engineering, utility relocation, right-of-way acquisition, and construction in about three-and-a-half years is unheard of in California these days. These projects usually take 10 years or more to come to fruition. I have never worked with a public agency as visionary, aggressive about keeping to their schedule, and goal-oriented as the City of Merced. Dave Gonzalves, John Sagin, Bill King and so many others at the City are who made this project possible within this time frame. Any time an obstacle arose, they would all scramble to solve it. Dave would not accept anything that would delay the project, and where others would shy away from political fallout, he pushed relentlessly. This project is the best example I know of a true partnership between the public and the private sector in delivering a project.”

—Michael Thomas, Project Manager, Biggs Cardosa Associates





**ACEC California 2012 Engineering Excellence Awards
Honor Award**

**Biggs Cardosa Associates, Inc.
BNSF Railroad Grade Separation
at G Street - Merced, California**

City of Merced,
Merced,
Client/Owner

BNSF Railway Company
Contractor
(underpass bridge)

Teichert Construction
Contractor
(roadway, stormwater, and utility)

Biggs Cardosa Associates
Prime Consultant
Structural Engineer

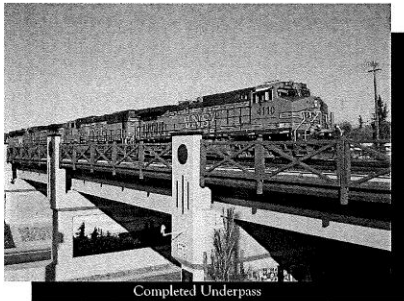
BKF Engineering
Civil Engineer

Rail Engineer

Parikh Consulting
Geotechnical Engineer

Zeiger Engineering
Electrical Engineer

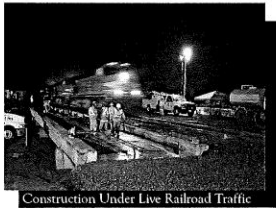
Heacox Associates
Landscape Architect



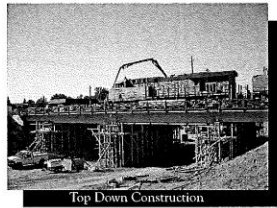
Completed Underpass



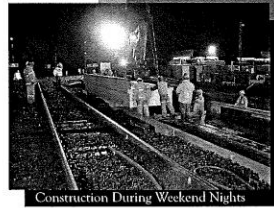
Completed Grade Separation At Night



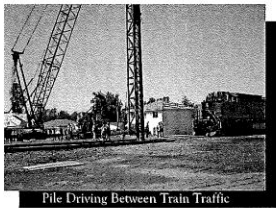
Construction Under Live Railroad Traffic



Top Down Construction



Construction During Weekend Nights



Pile Driving Between Train Traffic



In the city of Merced, long freight trains created frequent and significant traffic congestion and delays for automobiles especially during peak hour traffic. The city's three major cross-town roadways all had signal-controlled, at-grade crossings of the Burlington Northern and Santa Fe Railway Company (BNSF) line, which carries 12 Amtrak trains and up to 100 freight trains a day. To improve public safety, reduce traffic congestion, and provide a reliable route for the city's emergency services, the City decided to create its first grade separation at the intersection of the BNSF line and G Street.

The BNSF Railroad Underpass at G Street carries two tracks and a maintenance road over four lanes of depressed roadway (six lanes of future traffic). BCA collaborated with BNSF in a design-build arrangement to design and construct the 145-foot-long underpass beneath live railroad traffic, a much more economical and less disruptive solution than building a railroad viaduct during construction. BCA designed the bridge, and BNSF constructed the bridge mostly during weekend nights, with 12 to 16 hour temporary closures of one track at a time. Another noteworthy achievement was the delivery team's cooperation and adherence to an extremely aggressive schedule. In a little over three years, the BCA/BNSF/Teichert team completed a feasibility study, complied with CEQA, completed PS&E, relocated utility lines, participated in community outreach efforts, acquired the necessary right-of-way, and completed construction.

Biggs Cardosa Associates, Inc. Structural Engineers - G Street / BNSF Und...

- Special Inspections

G Street / BNSF Underpass • Merced, CA



The G Street Underpass, which is 145 feet long, carries two sets of tracks over four lanes of depressed roadway traffic (six lanes of future traffic.) An extremely tight vertical clearance and the desire to minimize the roadway depression required the use of a precast concrete box beam bridge type. The entire structure was constructed in stages to permit continual BNSF and Amtrak traffic. In a very cost-effective arrangement, Biggs Cardosa Associates formed an integrated construction management team with the City's forces. The scope of work included reviewing contractor submittals (concrete mix designs, rebar shop drawings, prestressing tensioning reports, calculations, etc), assisting with preparation of bridge contract change orders, response to bridge RFI's, and on-site Structure Representation during the construction of the bridge and other miscellaneous structures. BCA also inspected all bridge-related work (field verification of contractor generated bridge survey information, coordination of pile driving inspection with a subconsultant, precast concrete section placement, welding, reinforcement, formwork and concrete placement), and performed material sampling and testing.

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Construction



Completed

Letter 119: Rob Finley, January 10, 2014

- 119-1: The commenter offers the opinion that the traffic analysis in the Draft EIR does not address the impact on surrounding neighborhoods and only focuses on level of service, and states that the project relies on narrow streets creating unsafe conditions.

Please see Master Response 5 that addresses the scope of the traffic study. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 119-2: The commenter questions the analysis of inbound traffic on Tivoli and McKinley Boulevard between 40th and Meister, and asks them to be restudied.

Please see Master Response 5 that addresses the scope of the traffic study and Response to Comment 119-4. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 119-3: The commenter questions the allocation of trips on A Street and offers the opinion that drivers will favor the 40th Street access to avoid trains that cross at 28th Street. The commenter requests that this be studied in the Draft EIR.

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43), 52% of trips generated by the proposed project are projected to use the A Street access point, and 48% are projected to use the C Street access.

According to page 4.9-40 of the Draft EIR, the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9-43) and incorporated into the traffic analysis relied upon multiple analytical techniques. The traffic consultant prepared a comprehensive analytical approach to develop the project's anticipated inbound and outbound trip distribution percentages. Independent review of these calculations and analysis methods by City of Sacramento staff confirmed their reasonableness and validity for use in the Draft EIR. The trip distribution percentages are considered

appropriate by the City and their traffic consultant, Fehr & Peers, based on their professional judgment and experience in dealing with similar projects.

- 119-4: The commenter questions the analysis of outbound traffic on Tivoli and McKinley Boulevard between 40th and Meister, and asks them to be restudied.

As described on page 4.9-40 of the Draft EIR, the trip distribution of project trips was estimated using a variety of sources and analytical techniques. Tivoli was not shown on Table 4.9-9 because it does not have a direct connection between the project access point and several destinations in the area (i.e., schools, Downtown, etc.). For example, trips heading to Theodore Judah school would be making right turn at C Street, then left on 40th Street, which is easier than making a left turn at C Street, right at Tivoli, another right turn at 36th Way then a left turn at 40th Street. The same scenario regarding McKinley Boulevard between 40th Street and Meister Way, ease of travel with minimum interruptions is typically the route selected.

Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 119-5: The commenter reiterates information in comment 119-3.

Refer to Response to Comment 119-3.

- 119-6: The commenter reiterates information in comments 119-3 and 119-5.

Refer to Responses to Comments 119-3 and 119-4.

- 119-7: The commenter requests that the developer and City pursue an underpass at Alhambra.

Refer to Master Response 1 for additional information on the infeasibility of a bridge/roadway underpass at Alhambra Boulevard, including information pertaining to specific construction techniques.

Comment Letter 120

January 9, 2014

TO: Dana Allen, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

FROM: Susan Brank
290 San Antonio Way
Sacramento, CA 95819

SUBJECT: Comments on Draft Environmental Impact Report for
McKinley Village project proposal (P08-806)

I am writing as a resident of East Sacramento (36 years), a retired executive manager of the CA Board of Registered Nursing (20+ years), a volunteer teaching assistant at Theodore Judah Elementary School (7 years), and a mentor of underprivileged and foster children (7 years).

I am highly committed to public health and safety, particularly for children. Also, I strongly back the need for neighborhood livability and quality of life.

Following are my comments on the DEIR.

Lack of accessibility of DEIR document to the public.

The average member of the public would have an extremely difficult time accessing and commenting on the DEIR. It is hundreds of pages long and available in a fragmented manner on the City's website. It was difficult to locate and even more difficult to move from one section to another due to the need to open each section separately. Groups that advocate for neighbors were only provided with one copy for review.

Many citations in the DEIR were not attached for review. It was impossible to fully evaluate the DEIR without making the source documents for the citations part of the public record. Open government requires that such emails, memoranda, telephone notes, and other documents be included for review.

With such difficult access, there was a chilling effect on public review and comment.

McKinley Village is not a true infill project.

When the City's General Plan was developed and SACOG advocated for area planning, it is unfathomable to think that a proposal such as McKinley Village was intended.

It is simply wrong to place 328 families in a small pocket that is immediately surrounded by a high-volume freeway and railway lines. It is a good goal to make housing available near downtown to reduce pollution generated by long commutes. But that should not be achieved at the expense of families who are housed directly beside freeway and railroad lines with air and noise pollution!

120-1

120-2

Sacramento already has a high rate of asthma (15.5% per California Breathing of CA Department of Public Health, reference at end of this document). It has been established in numerous studies that the closer people live to freeways, the higher the incidence of asthma and other respiratory diseases. (See attached citations and studies by Breathe California, University of Southern California, and other research listings at end of this document.)

120-3

Oddly, the DEIR does not even mention possible potential respiratory diseases like asthma. Instead, it only refers strictly to cancer risk. Why isn't the City concerned about public health diseases and illnesses that greatly affect quality and longevity of lives, as well as affecting the cost of health care?

Reduction of car trips should be a primary goal of an infill project. McKinley Village is completely car-centric. There are no stores or services within the project, no mass transit, and only two access points in and out (making trips to services longer). The "village" is not a complete neighborhood, and it is not well-connected to adjacent areas.

120-4

Infill should include a variety of housing. This project consists of 328 stand-alone houses, with the possibility of adding a few condos.

Infill should be "right-sized" houses. This project's houses are huge, 4-5 bedroom houses with multiple-car garages, encouraging lifestyles that use excess space and waste resources.

120-5

"Persons per household" assumption is incorrect, leading to faulty conclusions.

If the wrong figure is used for the expected number of persons per household (PPH), then several conclusions fall apart. For example, the number of car trips, the incidence of cancer, the need for public services, the number of people impacted by noise and pollution, as well as other parts of the DEIR depend significantly on the PPH.

City staff used 2.0 persons per household as the assumed number. The report states that there will be 656 people living in the 328 houses. This cannot possibly be correct.

Looking at the evidence within the DEIR itself, internal inconsistencies prove that 2.0 PPH is not plausible. The best example comes from the estimated number of children from McKinley Village who will attend school.

Page 4.7-24 states that 230 – 258 students would come from McKinley Village. Let's assume the number of students is in the middle of that range: 244 students. Then the households might consist of some of the following combinations:

120-6

- 244 houses with one student and a single parent, and 84 houses with a couple with no children. That would mean 74% of the households had single parents.
- 244 houses with one student and two parents, and 84 households with only one occupant.

Neither of those options, or the infinite number of other combinations, are plausible. With houses having 4-5 bedrooms and a total of 230 – 258 children who are students, it is impossible to believe that the 2.0 persons per household measure is remotely correct.

Further proof that the DEIR's estimated PPH is way off the mark is the fact that the **most recent U.S. Census Data puts Sacramento's PPH at 2.7** for single family dwellings. (This is

consistent with Sacramento Area Council of Governments' and the City's Park Planning and Development' PPH figure as of June 27, 2013, pursuant to the City's Quimby Code formula.)

The PPH figure needs to be corrected throughout the report, resulting in a higher number of potential car trips, a higher cancer incidence rate (due to more people being affected), a greater need for public services, etc.

↑
120-6
Cont.

Problems accommodating McKinley Village students in schools.

The DEIR fails to identify fundamental problems that realistically will occur if 230 – 258 students are added to the Sacramento City Unified School District schools that are closest to the project.

In particular, based on my 7 years as a volunteer at Theodore Judah Elementary School, I am aware that adding 131 – 144 students to the school would be a monumental undertaking and would create a disruptive environment for all of the students. It would undermine the ability to provide an effective educational environment. That number of additional students simply cannot be absorbed in existing buildings.

The DEIR fails to include the text of at least two key citations in the appendices. The citations are a memorandum and an email. Without these documents, it is impossible to evaluate and adequately challenge the DEIR's conclusions about the impact of McKinley Village on schools. These documents should have been part of the public record.

The City needs to carefully question the accuracy and applicability of Table 4.7-2 which states that Theodore Judah can expand from its current enrollment of 581 to a capacity of 859. The context of the 859 capacity figure is not likely to be applicable in this case. The 859 capacity figure is not realistic when referring to an immediate addition of up to 144 students from the Village project.

Theodore Judah's campus is a historic registry site, making modifications to any structures on the campus especially complicated. The campus consists of the original oldest structure, which is supplemented with a number of modular classroom buildings. The cafeteria, auditorium, and other common spaces used by all students are likely not to be able to accommodate such a large number of students.

If more students are added, it would necessitate eliminating some programs that use rooms that are dedicated to the program. Examples include: Science, Speech Therapy, Classrooms for students with disabilities, Library, Music, and other programs. Parents and the neighborhood have worked diligently to establish these programs that are essential to a successful school. Elimination of key programs would destroy the upward achievements of the school across the past few years.

Reductions of the space for these specialized uses would have the greatest adverse effect on the most vulnerable students who are in need of specialized education and intervention, such as children who have physical, mental, or learning disabilities. Elimination of programs would also have a greater adverse impact on children who come from disadvantaged homes (as defined by the free and reduce-cost lunch programs). More than most children, these disadvantaged children rely on the library and computer lab and other special program access to meet needs that cannot be met at home.

↓
120-7

Due to the District's budgeting process and the school's historic registry designation, it is not possible to simply install new modular classrooms for immediate expansion. It is also not a legal option to simply add more students to each existing classroom because of student/teacher ratios. (Classes for kindergarten cannot exceed 32 students, First through Third classes are 31 students, and Fourth through Sixth are 33 students.)

Public health and safety issues would be significant if such a large number of students are forced to be enrolled in a campus that cannot expand rapidly enough to smoothly incorporate the new students. Overcrowding, stress, and less individualized attention will most likely result in more illnesses, absences, and behavioral problems.

Mitigation would be essential if Theodore Judah is expected to absorb such a large number of new students. It would be necessary for the developer to work closely with SCUSD to offer funding and services to facilitate expansion. Private funding from the developer should be expected in order to arrive at solutions to maintain all of the school's programs, to hire architects and contractors to resolve the problem of lack of campus space for expansion, and perhaps funding for a school nurse and other personnel to ensure a successful transition.

Ongoing mitigation should be required of the developer to provide funding for school buses to transport children to and from Theodore Judah. Without buses, parents would have to drive approximately 144 children to and from school, adding 576 car trips via small residential streets. (It would not be safe to expect elementary school children to walk or ride bicycles through the tunnel under the railroad tracks.)

↑
120-7
Cont.

Traffic impacts to East Sacramento are not accurately portrayed.

Every aspect of the traffic counts are suspect because of my personal observation of fundamental flaws in the methodology.

On my street (San Antonio Way), traffic counts were conducted in July 2013 when school was not in session. A large proportion of traffic on this street is due to school traffic from September to mid-June. When this was brought to the City's attention, a new count was conducted in early October. There was a big problem. On that day, our road was CLOSED with official signs blocking the roadway due to road construction for meter installation.

↑
120-8

In another case of flawed traffic study methodology, on San Antonio Way a traffic counter strip was laid across the street roughly halfway down the block between McKinley and 36th. This occurred after it was brought to the City's attention that one count happened while school was out of session and another count when the street was closed due to road construction. The fundamental flaw with the counter strip was its placement which caused it to fail to capture the majority of school traffic. Parents commonly park on the portion of San Antonio Way closest to McKinley Blvd. to pick up and drop off their children. When they depart, they make a U-turn and do not travel beyond the first half of San Antonio Way. Therefore, they did not go across the traffic counter strip on the day it was in place.

↑
120-9

All of the traffic counts surrounding Theodore Judah Elementary School need to be re-examined to determine whether 1.) school was in session, and 2.) road construction was disrupting the usual flow of traffic. Also, major thoroughfares that were excluded from the traffic study need to be added.

Did the traffic study use any "extrapolations" to arrive at projected numbers for traffic counts? If so, those locations need to be identified for the public. Such methodology for this neighborhood is dubious at best. Patterns of traffic vary widely at each intersection depending on the flow of school traffic, time of day, and weather conditions. No counts at one intersection or road should be applied to another location.

120-10

The projected number of vehicle trips due to the new development needs to be recalculated in light of a corrected number of Persons per Household (PPH) and in light of an inordinate need to travel due to lack of services within the new "village."

120-11

"Level of Service" (LOS) criteria are NOT sufficient measures of traffic impact.

City traffic studies typically find "less than significant" impacts because the definitions are car-centric and do not consider the impact on pedestrian, bicyclists, children, and residents. "Level of Service" merely refers to issues such as wait time at an intersection, traffic flow, and speed. By adding stop signs and/or traffic lights, the additional onslaught of traffic is considered magically mitigated because traffic is moving.

120-12

The City needs to evaluate other factors! Traffic that will be generated by this project will significantly increase the number of cars and trucks on narrow residential streets and will alter the residential character. Even San Mateo County takes these factors into consideration in addition to the basic LOS criterion.

The City needs to factor in the impact of the additional vehicle traffic on existing neighborhoods whose roads are not large enough to accommodate the new traffic. The additional air pollution from exhaust, vehicle noise, risk to pedestrians and bikers (especially children), and reduced quality of life for residents must be considered.

Two major factors will cause McKinley Village to generate more traffic than other new or existing neighborhoods.

First, the "village" has only two ways in and out of the neighborhood, thereby funneling and condensing the traffic at two key junctures. That intensifies the amount of traffic unfairly at two small existing neighborhood locations!

120-13

Second, McKinley Village will have no services like grocery stores or restaurants. (There is a possibility of a small commercial space, but the developer has stated that the neighborhood is too small to make support of services viable.) Without any internal services, extra vehicle trips will be essential, even for small items like bread and milk.

120-14

An Alhambra Blvd. access point must be added.

As described above, traffic in and out of the proposed McKinley Village is funneled and concentrated into only two access points. Both of these exits drop traffic onto small residential streets and into neighborhoods that are not constructed to handle the likely 3,000+ car trips per day. The funnel effect is likely to fall more onto the 40th Street egress because residents will avoid the exit that might be blocked by train traffic.

120-15

Besides creating an adverse impact on existing small neighborhoods, the limit to only two exits could be a critical safety issue in the event of emergencies such as train derailment, gas leaks, flooding, or other problems that could require quick evacuation of the village. Also, emergency vehicle access to the village would be restricted to only two access points.

120-16

In fairness to the existing neighborhoods and new residents of the "village," a more logical access point needs to be added at Alhambra Boulevard. Unlimited advantages could be listed for such an addition. New residents could more easily exit to go to McKinley Park, stores, the freeway, downtown, and other destinations without having to wind their way through small residential streets.

120-17

The cost of adding an Alhambra Blvd. access point is irrelevant in the bigger picture of what makes sense for decades to come.

Air quality evaluation fails to comply with current research and standards.

As described in a prior section, it is simply wrong to place 328 families in a small pocket that is immediately surrounded by a high-volume freeway and railway lines. It is a good goal to make housing available near downtown to reduce pollution generated by long commutes. But that should not be achieved at the expense of families who are housed directly beside freeway and railroad lines with air and noise pollution!

120-18

Sacramento already has a high rate of asthma (15.5% per California Breathing of CA Department of Public Health, reference at end of this document). It has been established in numerous studies that the closer people live to freeways, the higher the incidence of asthma and other respiratory diseases. (See attached citations and studies by Breathe California, University of Southern California, and other research listings at end of this document.)

120-19

Oddly, the DEIR does not even mention potential respiratory diseases like asthma. Instead, it only refers strictly to cancer risk. Why isn't the City concerned about public health diseases and illnesses that greatly affect quality and longevity of lives, as well as affecting the cost of health care?

120-20

HEPA filters in each home's HVAC systems will not help when families are outside. Children will be playing in yards and pools that are extremely close to air pollution including particulate matter and harmful chemicals. The developer touts parks, recreational areas, and inviting yards for barbecues. But should the new residents be spending any time outside in light of their proximity to pollutants?

120-21

Attempts to mitigate the pollution are futile. Trees will take a decade to begin to mature and reach a size that they will begin to make a small dent in the pollution. In the meantime, traffic on I-80 will continue to increase, with a logjam of traffic that situates idling vehicles spewing emissions right next to the new neighborhood. Also, railway traffic should increase in the future as our population and demand for goods increases.

Noise pollution for residents of the Village is not addressed properly in the DEIR.

One of the strangest quotes from the DEIR that was provided by the noise consultant was "Perception of the loudness of noise" depends on a number of factors. Certainly, anyone who

120-22

has walked along the area that is intended to become McKinley Village can attest to the fact that no perception filter is needed: It is simply extremely loud at the site.

Train whistles blow throughout the night, trains' wheels screech loudly at the curve in the tracks as they scrape metal-to-metal, the incessant roar of traffic from I-80 is maddening, and you must shout loudly to a walking partner to be heard over this din of noise.

Mitigation of train noise is nearly impossible. The level of the tracks is roughly at the level of the roof-line of the houses. No sound barrier can block the train noise.

Mitigation of the freeway noise might be dampened slightly by sound walls. But it will still be continually present, especially on the second level of homes.

It is difficult to imagine how residents could possibly have outdoor barbeques or backyard gatherings with the high noise level.

↑
120-22
Cont.

Air and noise pollution for existing neighborhoods during construction not addressed adequately.

The DEIR states that project construction will have a significant impact in July 2014 when site grading and construction of the 40th Street underpass plus the 40th Street extension overlap.

What will be the route for construction vehicles? What requirements will be in place to halt construction on days that are high pollution days for Sacramento? How will the developer keep down billowing clouds of dust while grading and preparing the site? (Recently, I saw construction underway at Curtis Park Village, and the dust cloud was at least eight stories high and was so thick it obliterated the view.)

Those of us in the neighborhood who have asthma need to know what to expect during construction. Construction will be staged across a few years, creating a long period in which our quality of life is dramatically impacted. In fact, illnesses may result from the particulate matter and diesel fumes that will affect respiratory health. Also, public health officials need to be consulted about the possibility of Valley Fever spores being released from the site.

Construction will be the key time when an Alhambra Blvd. access point would be critical.

120-23

The secondary levee at 40th Street should NOT be punched to create a tunnel.

If access to McKinley Village was available via Alhambra Blvd, there would be no need to create a tunnel under the rail tracks at 40th Street.

Even though the levee for the railroad tracks is a secondary one, it does provide some protection for East Sacramento from flooding. In the event of a primary levee breach, this secondary levee would provide a few extra hours for residents to evacuate. Why would the City want to allow the tunnel to be punched through that key point in the secondary levee in light of that information?

120-24
120-25

Summary

Thank you for taking into consideration my feedback on the DEIR. You can see that I have given careful consideration to many aspects of the proposed development.

I do not think that this development would be good for the City as a whole, for the residents of the proposed development, or for the residents of existing, adjacent neighborhoods.

Sincerely,

Susan Brank
290 San Antonio Way
Sacramento, CA 95819

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120-26
|

Attachments

Comments on DEIR, McKinley Village

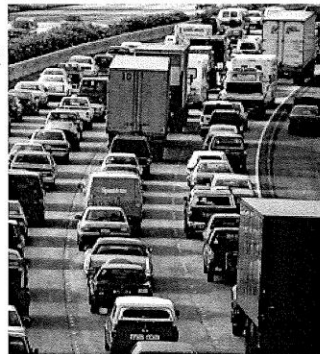


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Local Health Impact Studies

Health Effects Task Force Studies 1995-2009

We have completed work on eight local studies on air pollution in collaboration with UC Davis, Kaiser Permanente, California Department of Health Services, California Air Resources Board (CARB), and California Office of Environmental Health Hazard Assessment, with funding from Sacramento Metropolitan Air Quality Management District and Yolo-Solano Air Quality Management District.



May 2009 Thomas A. Cahill and David E. Barnes, UC Davis DELTA Group:
Comparison of Fine Mass, UC Davis DRUM versus FRM, at the ARB 13 th and T Street Site

This one year side by side monitoring study, sanctioned by the California Air Resources Board at its 13th and T Street site, compares mass data collected by the UC Davis rotating drum impactor (8 DRUM) with ARB’s standard mass monitoring measurements. The study showed that the 8 DRUM monitor proved to be a cost effective way to obtain important additional data for health and regulatory needs while being accurately comparable to the ARB’s mass measurements currently required by law. In particular, this study introduces vital new information about ultrafine particulate matter which studies now show is capable of deep lung deposition, and heart and brain impacts.

April 2008 T. A. Cahill PhD, UC Davis:
Removal Rates of Particulate Matter onto Vegetation as a Function of Particle Size

Conducted at the University of California, Davis, this wind tunnel study showed that all forms of evergreen vegetation were able to remove 30% to 80% of very fine particles at wind velocities below roughly two miles per hour during the 2 to 4 seconds in which the particles were within the vegetation chamber. Redwood and deodar were about twice as effective as live oak. The success of this study has led to one to begin January 2009 that will compare protective qualities of evergreen vegetation downwind and adjacent to Highway I-5 in Sacramento as compared to unprotected sites also downwind of I-5. [Click here](#) to read a one page summary of the report.

2007 T.A. Cahill, PhD, UC Davis and T.M Cahill, ASU:
Air Quality at Roseville Railyard Poses Cancer Risk : Recent Study by Health Effects Task Force Also Outlines Multiple Solutions

This study was conducted in collaboration with the Placer County Air Pollution Control District (PCAPCD) and its Roseville Railyard Aerosol Monitoring Project (RRAMP). The study report consists of seven components all of which bear on monitoring emissions from the Railyard in Roseville. Some components were funded by EPA Region IX in a grant to PCAPCD and some were collected by Dr. Cahill as a volunteer with Breathe California of Sacramento-Emigrant Trails (BCSET) and the Health Effects Task Force (HETF). This study is the first of its kind to analyze the chemical content of the highly toxic ultrafine particulates in locomotive diesel at the railyard. A key study finding revealed that the locomotive diesel exhaust from the Roseville Railyard is about 5.5.times richer in the most carcinogenic components of diesel exhaust (benzo[a]pyrene, among others) than is the exhaust from diesel trucks. A chapter of this report is dedicated to recommendations for mitigation of emissions at the Roseville Railyard.

There has been substantial media coverage of the health impacts of exposure to diesel pollution in and around the Roseville Rail Yards. It is important, however, to appreciate that, as stated in the Sacramento Bee article, the predicted increase in lifetime cancer rate from the Air Resource's Boards 2004 analysis was 1 part on 1,000 or less for the vast majority of local residents. Other impacts, such as increases in asthma, are harder to predict but can certainly occur.

Nevertheless, there are actions you can take to better protect your health:

- Install filters in your heating and cooling systems – passive electrostatic filters appear to be a good choice;
- Be extra vigilant in keeping your filters clean and change them more frequently;
- Avoid tracking dirt inside and open windows away from the diesel pollution source;
- Minimize your time spent outdoors in situations in which you observe diesel smoke is present,
- Next spring, plant a row of vegetation with thick foliage as a barrier which may be effective to absorb diesel smoke. Good evergreen choices might be deodars, cedars, redwoods, and interior live oaks. More studies are being done on the most effective vegetation barriers and results should be available soon.

Other mitigations are being implemented within the rail yard itself by Union Pacific Rail Road as per an agreement with Placer County and other agencies, and the report on their progress is currently scheduled for release next Spring. .

2006 T.A. Cahill, PhD, UC Davis:

Vehicular Particulate Exposures and Potential Mitigations Downwind of Watt Avenue, Sacramento, California

This third and final phase of a series of studies conducted by Dr. Cahill for Breathe California of Sacramento-Emigrant Trails focused on air quality impacts from traffic on Watt Avenue which confirmed previous findings that very fine and ultrafine particulates substantially impacted Arden Middle School immediately downwind of Watt Avenue at Arden Way. A new section in this report addresses mitigation opportunities for those who reside downwind of heavily trafficked urban corridors such as Watt Avenue. This report also emphasizes that although the California Air Resources Board has declared diesel particulates toxic to human health (California Almanac 2006), no health protection standards have been established by the California Air Resources Board or the Environmental Protection Agency for the very fine and ultrafine particulates found in diesel exhaust. This study received guidance and support from Arden Middle School and San Juan Unified School District personnel and county departments.

2005 T.A. Cahill, PhD, UC Davis:

Sacramento/Interstate 5 Transect Study, Phase II, Winter Months

This second phase examined the impacts of secondary roadways carrying predominantly car traffic. On Watt Avenue, diesel trucks, although they represented only about 1.5 percent of all vehicles, contributed about 1/3 of all the very fine and ultrafine particulates, while cars contributed 2/3 of the very fine and ultrafine particulates, which substantially impacted Arden Middle School.

2003 T. A. Cahill, PhD, UC Davis:

Sacramento/Interstate 5 Aerosol Transect Study

This study measured air pollution levels at nine sites upwind and downwind of Highway I-5 and east to the foothills. The level of diesel/smoking gasoline vehicle impacts was larger at Arden Middle School directly downwind of Watt Avenue than at the Crocker Art Museum directly downwind of Highway I-5, despite lower traffic flows on Watt Avenue. Very fine particulates traveled well away from freeways and filled large areas of downtown Sacramento.

2003 California Air Resources Board:

Short Term Study of Outdoor Air Quality at Two Sacramento Schools on Watt Avenue

This limited study provided some insight into the air quality of the two schools, Arden Middle School and Frederick C. Joyce Elementary, but showed that the overall Sacramento region had a stronger influence over the air quality of the schools than the local sources of air pollution. Diesel particulate was not measured as part of this study because no methods to measure diesel particulate were available to CARB at the time the study was conducted.

2003 Study in collaboration with Michael Lipsett, MD, OEHHA on MediCal youth with asthma in the Sacramento Region:

Air Pollution and Exacerbation of Pediatric Asthma in Sacramento

Specific to the Sacramento Region, this study demonstrated a link between SMOG and childhood asthma attacks resulting in hospitalizations and emergency room visits. This study has not been released for publication.

*2002 Study in collaboration with Steve Van Den Eeden, PhD, Kaiser Permanente:
"Particulate Air Pollution and Morbidity in the California Central Valley"*

This study found strong and consistent air pollution effects between particulate matter and acute and chronic respiratory hospitalizations among Kaiser Permanente members, 60 percent of whom lived in the Sacramento Region.

*1998 Study in collaboration with T.A.Cahill, PhD, UC Davis:**"Comparison of Cardiac and Stroke Mortality to Carbon Monoxide, Ozone, and Particulate Air Pollution Concentrations in the Sacramento Valley Region"*

This study compared CA Dept. of Health Services mortality data to CARB air pollution data, suggesting a statistically strong link between PM 10 and increased mortality from ischemic heart disease, with weaker evidence for heart attacks and strokes and ozone air pollution.

To receive any additional information regarding these studies and/or the Health Effects Task Force, please contact Betty at (916) 444-5900 ext. 211 or email bturner@sacbreathe.org.

Health Effects Task Force

The Health Effects Task Force (HETF) is a group of air quality and health experts who for over a decade have volunteered to leverage their skills and expertise to further locally based studies on the health impacts of air pollution in Sacramento and the Central Valley of California. This is an area with known and serious air pollution problems that differ significantly in type from other extensively studied areas in California and the nation.

HETF has been chaired since its inception by Jananne Sharpless, past chairwoman of the California Air Resources Board, with members drawn from organizations such as the Cal EPA/ARB, Kaiser Permanente, California Office of Environmental Health Hazard Assessment, University of California, Davis, Sacramento County Health Department, and local research companies, among others.

Local air districts have funded the work of HETF with modest grants for over ten years with results only achievable because of the dedication of this extraordinary group of volunteers.

Eight studies specific to this region have been completed identifying:

- How strategically placed vegetation downwind of busy roadways can remove ultrafine particulates from the air, thereby protecting the health of residents,
- Effects of air pollution on mortality rates from ischemic heart disease and stroke in the Central Valley,
- Particulate air pollution and rate of hospitalizations;
- Increased hospitalizations and emergency room visits of MediCal youth with asthma during high ozone days; and
- Three studies on exposure to ultrafine particulates across Sacramento and at a school site directly downwind of a densely trafficked urban corridor.

Other studies in progress include: a ten year study looking at air pollution effects on the elderly; high school students conducting on campus indoor and outdoor air quality assessments at regional high school sites; a study on the health protection effect of vegetation and downwind barriers on very fine and ultrafine particulates from freeways; and a one year comparative study of data captured by the Cahill 8 drum sampler and the California Air Resources Board monitor at the 13th and T Streets site in Sacramento.

Childhood Asthma Linked to Freeway Pollution

09/21/05

By studying air pollution levels in 10 Southern California cities, USC investigators show that proximity to freeways poses a respiratory risk.

By Alicia Di Rado

“These results suggest that tailpipe pollutants from freeway traffic are a significant risk factor for asthma,” said lead author James Gauderman, associate professor of preventive medicine in the Keck School.

Living near a freeway may mean more than the annoying rumble of cars and trucks: For children, it brings an increased risk of asthma, according to researchers in the Keck School of Medicine of USC.

Scientists studying air pollution levels in 10 Southern California cities found that the closer children live to a freeway, the greater their chance of having been diagnosed with asthma. The findings are reported in the November issue of the journal *Epidemiology*.

Researchers also found that children who had higher levels of nitrogen dioxide, or NO₂, in the air around their homes were more likely to have developed asthma. NO₂ is a product of pollutants emitted from combustion engines, such as those in cars and trucks.

“These results suggest that tailpipe pollutants from freeway traffic are a significant risk factor for asthma,” said lead author James Gauderman, associate professor of preventive medicine in the Keck School. “Considering the enormous costs associated with childhood asthma, today’s public policy toward regulating pollutants may merit some re-evaluation.”

“These results have both scientific and public health implications,” said David A. Schwartz, director of the National Institute of Environmental Health Sciences, the federal agency that funded the study. “They strengthen an emerging body of evidence that air pollution can cause asthma and that exposure to outdoor levels of nitrogen dioxide and other traffic-related air pollutants may be a significant risk factor for this illness.”

Researchers looked at the pollution-asthma link in 208 children who were part of the USC-led Children’s Health Study, the longest investigation ever into air pollution and kids’ health. The study has tracked the respiratory health of children in a group of Southern California cities since 1993.

The investigators placed air samplers outside the home of each student to measure NO₂ levels. In addition, they determined the distance of each child’s home from local freeways, as well as how many vehicles traveled within 150 meters (about 164 yards) of the child’s home. Finally, they estimated traffic-related air pollution levels at each child’s home, using models that take weather conditions, vehicle counts and other important factors into account.

In all, 31 children (15 percent) had asthma. Scientists found a link between asthma prevalence in the children and NO₂ levels at their homes.

For each increase of 5.7 parts per billion in average NO₂ – which represents a typical range from low- to high-pollution levels among Southern California cities – the risk of asthma increased by 83 percent. Risk of wheezing and current asthma medication use also rose as NO₂ levels increased.

The scientists also found that the closer the students lived to a freeway, the higher the NO₂ levels outside their homes. NO₂ levels also corresponded with traffic-related pollution estimates from the group's statistical model.

It was not surprising, then, when they found that the closer the students lived to a freeway, the higher the students' asthma prevalence.

For every 1.2 kilometers (about three-quarters of a mile) the students lived closer to the freeway, asthma risk increased by 89 percent. For example, students who lived 400 meters from the freeway had an 89 percent higher risk of asthma than students living 1,600 meters away from the freeway.

Interestingly, the researchers saw that air pollution from freeway traffic influenced NO₂ concentrations at homes more strongly than pollution from other types of roads. Traffic counts within 150 meters of homes (which primarily comprised traffic from smaller streets) were only weakly correlated with measured NO₂.

In any community, a freeway is a major source of air pollution.

“Cars and trucks traveling on freeways and other large roads may be a bigger source of pollutants that matter for asthma than traffic on smaller roads,” Gauderman said. Scientists also find it difficult to get good data on traffic on smaller streets, which may make it harder to find associations between asthma and local traffic.

Gauderman cautioned that researchers do not yet know that NO₂ is to blame for the asthma. NO₂ travels together with other airborne pollutants, such as particulate matter, so it may be a marker for other asthma-causing pollutants.

Study sites included the cities of Alpine, Atascadero, Lake Elsinore, Lancaster, Long Beach, Mira Loma, Riverside, San Dimas, Santa Maria and Upland.

The Children's Health Study is supported by the NIEHS, California Air Resources Board, the Southern California Particle Center and Supersite, the Environmental Protection Agency and the Hastings Foundation.



Sacramento County Asthma Profile

May 2011

In Sacramento County, approximately 214,000 children and adults have been diagnosed with asthma.

Lifetime Asthma Prevalence,² 2009

People who have ever been diagnosed with asthma by a health provider

Percent with Lifetime Asthma (95% Confidence Interval ³)			
	Age	Sacramento County	California
Children	0-4	--	7.7 (6.2-9.2)
	5-17	12.7 (6.9-18.6)	16.2 (14.9-17.6)
Adults	18-64	17.3 (13.6-20.9)	13.8 (12.9-14.7)
	65+	11.9 (7.6-16.3)	11.8 (11.0-12.7)
	0-17	12.7 (7.8-17.7)	14.2 (13.1-15.3)
Totals:	18+	16.5 (13.3-19.6)	13.5 (12.8-14.3)
	All Ages	15.5 (12.8-18.2)	13.7 (13.1-14.3)

Data Source: California Health Interview Survey (CHIS), 2009

Notes

1. PI = Pacific Islander; Please see technical notes for more information on race/ethnicity categorizations.
2. Lifetime asthma prevalence is the proportion of people in the population who have ever been diagnosed with asthma by a health provider.
3. The 95% confidence interval (CI) is a range that expresses a level of certainty about an estimate based on the margin of error.
The 95% CI means that we are 95 percent confident that this range contains the true population

percent. A narrow CI means that there is less variability in the estimate and/or there is a larger sample size. A wide CI indicates more variability and/or a smaller sample size.

4. Active asthma prevalence is the proportion of people in the population who have ever been diagnosed with asthma by a health provider and report that they still have asthma and/or report that they had an episode or attack within the past 12 months.
5. Work-related asthma is asthma that is caused or triggered by conditions or substances in the workplace.
6. Balmes J, Becklake M, Blanc P, et al. Environmental and Occupational Health Assembly, American Thoracic Society. American Thoracic Society Statement: Occupational Contribution to the Burden of Airway Disease. *Am J Respir Crit Care Med.* 2003;167:787-797; Lutzker L, Rafferty A, Brunner W, et al. Prevalence of Work-related Asthma in Michigan, Minnesota, and Oregon. *Journal of Asthma.* 2010;47:156-161.
7. Obesity is defined as a body mass index (BMI) of 30 or greater.
8. Data Sources for Asthma Risk Factors: Smoking — CHIS, 2009; Obesity — CHIS, 2009; Poverty Level — American Community Survey, 2007-2009; Unemployment Rate — State of California Employment Development Department, 2009
9. An asthma death is a death where asthma was indicated as the underlying cause on the death certificate. The rate of asthma deaths is the number of deaths per 1,000,000 residents, age-adjusted to the 2000 U.S. population.
10. An asthma ED visit is an admission to a licensed ED in California with the primary diagnosis of asthma. The rate of asthma ED visits is the number of visits per 10,000 residents, age-adjusted to the 2000 U.S. population.
11. Population denominators for rates are from the California Department of Finance. All rates are age-adjusted to the 2000 U.S. population. Age-adjusted rates are modified to eliminate the effect of different age distributions in different populations. Rates based on numbers <20 are not reported.
12. An asthma hospitalization is a discharge from a licensed acute care hospital in California with the primary diagnosis of asthma. The rate of asthma hospitalizations is the number of hospitalizations per 10,000 residents, age-adjusted to the 2000 U.S. population.
13. Charges for asthma hospitalizations are the only type of data available to assess the costs of asthma in California counties. However, there are many other costs associated with asthma, including other types of health care utilization, medications, and indirect costs due to factors such as school and work missed.
14. Healthy People 2010 (HP2010) is a set of national benchmarks for a wide range of health topics, including asthma. For more information on HP2010, visit www.healthypeople.gov.
15. Outdoor air quality data—including exposures such as PM2.5, PM10, ozone, and traffic pollution—can be found online through the California Environmental Health Tracking Program's Air Quality Data Query or on the California Air Resources Board website.

Additional References on Health Impacts of Location of Homes:

[1] California Environmental Protection Air Resources Board. Status of research on potential mitigation concepts to reduce exposure to nearby traffic pollution, August 23, 2012, p. 2-3.

[2] Brown MS, Sarnat SE, DeMuth KA, Brown LA, Whitlock DR, Brown SW, Tolbert PE, Fitzpatrick AM. Residential proximity to a major roadway is associated with features of asthma control in children. PLoS One. 2012;7(5):e37044. doi: 10.1371/journal.pone.0037044. Epub 2012 May 17.

[3] Urman R, McConnell R, Islam T, Avol EL, Lurmann FW, Vora H, Linn WS, Rappaport EB, Gilliland FD, Gauderman WJ. Associations of children's lung function with ambient air pollution: joint effects of regional and near-roadway pollutants. Thorax. 2013 Nov 19. doi: 10.1136/thoraxjnl-2012-203159.

[4] Volk HE, Hertz-Picciotto I, Delwiche L, Lurmann F, McConnell R. Residential proximity to freeways and autism in the CHARGE study. Environ Health Perspect. 2011 Jun;119(6):873-7. doi: 10.1289/ehp.1002835. Epub 2010 Dec 13.

[5] California Environmental Protection Agency California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005, p. 10.

Letter 120: Susan Brank, January 9, 2014

- 120-1: The commenter offers her opinion that the Draft EIR was not easily accessible, too long, and provided in a fragmented fashion on the City's website for public review and comment. In addition, citations in the Draft EIR were not attached for review.

The City posted an electronic copy of the Draft EIR and appendices on the City's website and provided hard copies of the document to the Central library, and at the Community Development Department's public counter. All of the chapters and sections of the electronic copy of the Draft EIR were provided as separate documents on the City's website along with the appendices. If the document was provided as one electronic file it would have exceeded the memory and size limitations of many computers. Therefore, it was provided in a manner where information could be easily accessed by everyone to review. Please see also Response to Comment 18-3.

This comment does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 120-2: The commenter expresses her opposition to the project due to the air and noise pollution associated with the location between the freeway and railroad lines and states her opinion that the project is not infill and does not meet SACOG's goals.

Please see Response to Comment 18-48 for information regarding infill and Response to Comment 19-2 regarding consistency of the project with SACOG's planning documents for the region.

The commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 120-3: The commenter states that Sacramento has a high rate of asthma and notes that rates of asthma are higher in people who live close to freeways.

Please see Master Response 7 for more information on the health risk assessment and Response to Comment 120-20 below.

- 120-4: The commenter states her opinion that the project is car-centric, is not a complete neighborhood, and is not well-connected to adjacent areas.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 120-5: The commenter offers the opinion that infill should include a variety of housing that is “right-sized” and that the project includes “huge” homes.

Please see Chapter 2 of this Final EIR for revisions made to the project since release of the Draft EIR, which includes a new attached housing design. The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 120-6: The commenter states that the “persons per household” assumptions in the Draft EIR are incorrect and needs to be corrected throughout the report.

Please refer to Master Response 6, which addresses the persons per household assumptions included in the Draft EIR.

- 120-7: The commenter states that the Draft EIR fails to adequately address potential impacts of the project on local schools, including Theodore Judah School, and suggests mitigation to address such impacts.

Please refer to Master Response 2, which addresses school capacity and specifically Theodore Judah School. The comment also refers to email correspondence and a memorandum that are not included in the appendices and states that without access to this information it is impossible to review the adequacy of the analysis contained in the Draft EIR. Information from the email correspondence and memorandum are summarized in the Draft EIR so it is not clear how the commenter cannot provide comments on this information.

The comment also states that the project should provide funding for school buses to transport children to Theodore Judah Elementary School. The Draft EIR evaluates impacts to schools under Impact 4.7-3 on page 4.7-27. As stated on page 4.7-29, the project will pay required school impact fees which is considered full mitigation for impacts on schools. The project has mitigated its impact to schools and the requirement that this project fund a school bus is not required under CEQA.

- 120-8: The commenter states that the Draft EIR does not accurately portray traffic impacts due to flawed methodology and traffic counts.

Please refer to Master Responses 3 and 5, which address the school counts and additional study locations, respectively. Master Response 3 also addresses concerns raised regarding project construction that was occurring during the time the traffic counts were taken.

- 120-9: The commenter provides an example of perceived flaws in the traffic study methodology and suggests that all traffic counts surrounding Theodore Judah Elementary School need to be re-examined.

Please refer to Master Response 3 that addresses the timing of the traffic counts and also addresses the construction issue.

- 120-10: The commenter questions whether any “extrapolations” were used for the traffic counts and states that such methodology would not be accurate for this neighborhood.

Traffic counts used for the traffic analysis for this project were conducted on regular weekdays and when schools were in session. There were no estimations done to produce the traffic counts numbers used in the DEIR. For more information about the traffic counts, please see page 4.9-23 of the Draft EIR.

- 120-11: The commenter states that the projected vehicle trips associated with the project need to be recalculated to take into account the corrected persons per household projections and “in light of an inordinate need to travel due to lack of services within the new “village.”

Please refer to Master Response 6, which addresses the persons per household assumptions included in the Draft EIR. Trip generation associated with the proposed project is thoroughly discussed in Section 4.9 of the Draft EIR, and as stated on page 4.9-39, “[t]he trip generation estimates in Table 4.9-8 conservatively include no reductions for internalized trips between project land uses, no reductions for pass-by trips, and no reduction for trips made by walking, biking, or transit.”

- 120-12: The commenter states that “Level of Service (LOS) criteria are NOT sufficient measures of traffic impact” and expresses the opinion that the City needs to evaluate other factors. The commenter also suggests that impacts due to air pollution, safety, noise, and reduced quality of life need to be considered.

As described on page 4.9-45 of the Draft EIR, “[t]he significance criteria used to evaluate the project impacts are based on Appendix G of the CEQA Guidelines, the thresholds adopted by the City in applicable general plans and previous environmental documents, and professional judgment.” Impacts related to air pollution, noise, and safety are addressed in Sections 4.1, 4.6, and 4.9 of the Draft EIR, respectively. Please see Master Response 10 regarding livability concerns.

- 120-13: The commenter asserts that project traffic will be intensified at two existing neighborhood locations since there will be only two access points in and out of the village.

As discussed in the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours in the existing plus project scenario. (DEIR, p. 4.9-51.) An additional access point at Alhambra is not required.

Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).) Commenter's opinion will be forwarded to the decision-makers for their consideration.

Please see Master Response 1 that addresses the infeasibility of a bridge/roadway undercrossing at Alhambra.

- 120-14: The commenter offers the opinion that since the project will have no services, there will be additional trips generated.

Please refer to the Responses to Comments 120-11 and 18-53.

- 120-15: This comment reiterates comment 120-13 and states that the 40th Street egress is likely to be impacted since residents will avoid the exit that might be blocked by train traffic.

Please refer to Response to Comment 120-13 above and Master Response 9 that addresses the potential for trains blocking the at-grade crossing.

- 120-16: The commenter offers the opinion that having only two exits could result in safety issues in the event of an emergency and for emergency vehicle access.

The Draft EIR addresses concerns regarding evacuation in the event of a flood or any other hazard that may occur in Section 4.4, Hazards and Public Safety. Please see also Responses to Comments 18-73, 18-74, 31-56, and 31-57 that address evacuation in the event of an emergency.

120-17: The commenter states that “a more logical access point needs to be added at Alhambra Boulevard”, and adds that the cost of adding this access point is irrelevant.

Please refer to Response to Comment 120-11 above. Please see Master Response 1 that addresses the infeasibility of a bridge/roadway undercrossing at Alhambra.

120-18: The commenter reiterates her concerns expressed in comment 120-2 related to air and noise pollution impacts.

Impacts related to air and noise pollution are addressed in Section 4.1 and 4.6 of the Draft EIR, respectively. See Master Response 7 for information regarding the health risk assessment that was prepared for the project.

120-19: The commenter states that Sacramento has a high rate of asthma and cites studies that indicate people living near freeways have higher incidence of asthma and respiratory diseases.

See Master Response 7 for information regarding the health risk assessment that was prepared for the project.

120-20: The commenter asserts that the DEIR did not evaluate non-cancer risks such as asthma.

The Draft EIR did discuss health effects other than cancer in regard to air pollutants in general, and non-cancer health effects were evaluated in the health risk assessment. See Response to Comment 17-21 and Master Response 7 concerning the health risk assessment for additional discussion regarding non-cancer health effects.

120-21: The commenter expresses concern regarding outdoor air pollution since HEPA filters will not help outdoor air quality. The commenter also states that “attempts to mitigate the pollution are futile”.

Please see Response to Comment 120-20 above for information on health risks. HEPA filters are designed to address indoor air quality and do not address outdoor air quality concerns. Commenter’s assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).). Commenter’s opinion will be forwarded to the decision-makers for their consideration.

- 120-22: The commenter states her opinion regarding noise issues in the area and questions the effectiveness of sound walls as mitigation.

Please refer to Section 4.6 of the Draft EIR for the discussion of potential noise impacts and proposed mitigation. The commenter's concerns will be forwarded to the decision-makers for their consideration. However, as provided in Section 4.6 of the Draft EIR, noise impacts are less than significant after mitigation.

- 120-23: The commenter references the Draft EIR conclusion that project construction would result in a significant impact during site grading and construction. The comment requests information regarding the travel route for construction vehicles, controls on construction during high pollution days, and control of dust emissions from the site. The comment notes that people in the surrounding neighborhood who are affected by asthma will be affected during construction and suggests consulting public health officials about the possibility of Valley Fever spores being released from the site. The comment concludes by noting that an Alhambra Boulevard access point would be critical during construction.

As noted in Chapter 2, Project Description on page 2-58 and in Section 4.9, Impact 4.9-5 of the Draft EIR, "...the applicant must prepare a construction traffic and parking management plan to the satisfaction of City Traffic Engineer and subject to review by all affected agencies. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained." By requiring acceptable operating conditions to be maintained on all local roadways and freeway facilities, the plan will avoid traffic impacts, and related air quality impacts, in neighborhoods near the project site.

As listed on page 4.1-27 of the Draft EIR, SMAQMD Rule 403 "[r]equires a person to take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation." In the event that nuisance conditions (e.g., excessive dust or odor) are generated during construction, a complaint may be filed with the SMAQMD, which would investigate the circumstances and take appropriate enforcement action. Furthermore, the SMAQMD's comment letter (see Letter 10) on the Draft EIR did not suggest imposing additional measures which supports the conclusion that the Draft EIR evaluated adequate precautions to avoid significant air quality impacts during construction.

In addition, as described in Impact 4.1-1 on page 4.1-36, SMAQMD's Basic Construction Emission Control Practices are required to be implemented for all

construction activities within SMAQMDs jurisdiction. These measures were developed by SMAQMD to control dust emissions and include watering the construction site twice daily, limiting vehicle speeds on unpaved roadways to 15 miles per hour, minimizing vehicle idling, covering haul trucks transporting soil, and cleaning paved roads.

Finally, Mitigation Measure 4.1-1(a) requires, in part, that the project “ensure that emissions from all off-road diesel-powered equipment used on the project site do not exceed 40% opacity for more than 3 minutes in any 1 hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately. Noncompliant equipment will be documented and a summary provided to the lead agency and Air District monthly. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project.... The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance.”

120-24: This comment states that access via Alhambra Boulevard would eliminate the needs to build a tunnel at 40th Street.

Please see Master Response 1 that addresses the infeasibility of a bridge/roadway undercrossing at Alhambra.

120-25: This comment states that the railroad levee provides protection for East Sacramento from flooding and questions the proposal to build a tunnel through the levee.

Please see Response to Comment 31-66 and 90-2.

120-26: The commenter states her opposition of the proposed project.

The commenter’s opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 121

Dana Allen

From: Ellen Cochrane <ellencochrane@hotmail.com>
Sent: Friday, January 10, 2014 4:00 PM
To: Dana Allen
Subject: McKinley Village Draft Environmental Impact Report Comment

Response letter to the McKinley Village Draft Environmental Impact Report

The Draft Environmental Impact Report for McKinley Village makes no mention of the effect the development will have on McKinley Park. I request that the project's planning and financial team address the following:

McKinley Park Library

Additional families will make use of the excellent services provided by this small public library. Attendance will rise at events and check outs and visits will increase. There is no provision to help this already struggling institution. The developers have not addressed the issue of increased usage adding stress to this underfunded county library.

121-1

McKinley Park Pond

The McKinley Park Pond has a broken, pox-marked bank, substandard filtering system, no fencing, animal habitat mismanagement, and chronic litter. This beloved park pond is currently under maximum stress and decay and our city government cannot fund its rehabilitation. The developers have not provided a provision for any help or support of this neighborhood landmark.

121-2

McKinley Park Turf/Jogging Track

The park turf suffers from scuffed out tufts, brown patches and dead areas. Park activities have worked grooves into the lawn and jogging track and deteriorated the quality of the grounds. The city cannot keep up with the repairs that are needed because of lack of money. The developers have not provided a provision for any help or support of these park features.

121-3

I request that the developer study the impacts of the development on McKinley Park and create a protection and intervention plan for this treasured public area, should the project goes through.

121-4

The study should examine all the McKinley Park recreational areas (i.e. tennis courts, rose garden, softball field, picnic areas...) and forecast the areas that will be heavily impacted. The study should identify upkeep costs with increased usage and develop and 25 year management plan with the City of Sacramento.

121-5

The intervention measures should include a yearly tax on the households of McKinley Village of \$500/house to support the McKinley Library, McKinley Pond and the McKinley Jogging Track and sod areas, and any other areas in the park that will be impacted.

It's simply not moral that a developer be able to plunk down hundreds of homes, sell off his interests, and then leave East Sacramento with a park needing even more funds to continue its operation. Civic responsibility must be enforced; developers will not willingly volunteer to do the right thing.

121-6

s/Ellen Cochrane
926-43rd Street
Sacramento, CA
95819
(916) 457-2725

Letter 121: Ellen Cochrane, January 10, 2014

- 121-1: The commenter states that the developers have not addressed the potential impacts related to increased usage of the McKinley Park Library.

The City typically does not address impacts specifically on libraries. The City does evaluate if a project would cause or accelerate a substantial physical deterioration of existing area parks or recreational facilities. The anticipated increase in use of the McKinley Park library due to project residents is not anticipated to result in any impacts to this City resource. As discussed in Section 4.7 of the Draft EIR under Impact 4.7-4 the project's impact on parks and recreational facilities was evaluated and impacts were determined to be less than significant. The City allocates a portion of revenues raised from property taxes that go into the City's general fund to be used for libraries and other city cultural and recreational amenities.

- 121-2: The commenter offers her opinion regarding the state of the McKinley Park Pond and indicates that the developers have not provided any provision for support of the McKinley Park Pond.

The City allocates a portion of revenues raised from property taxes that go into the City's general fund to be used for public recreational amenities. The condition of the pond in McKinley Park is an existing condition and not related to the project. As noted above, the City uses revenues raised from property taxes that go into the City's general fund to be used for maintenance of City recreational amenities. The commenter's opinions do not raise issues regarding the physical effects on the environment related to the project and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 121-3: The commenter offers her opinion regarding the state of the McKinley Park turf and jogging track and states that the developers have not provided any provision for support of the park features.

Please see Response to Comment 121-2, above.

- 121-4: The commenter requests that the developer study the impacts of the project on McKinley Park and create a plan to protect this park.

Please see Responses to Comments 121-1 and 121-2.

121-5: The commenter suggests applying a yearly tax on households within the project to support the McKinley Library and McKinley Park facilities.

Please see Responses to Comments 121-1 and 121-2. No additional analysis or mitigation is required. (See CEQA Guidelines, Section 15126.4, subd. (a)(3) [under CEQA, no mitigation measures are required for impacts that are less than significant].)

121-6: The commenter offers her opinion regarding the morality of developers.

This commenter's opinion does not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 122

McKinley (MKV) Village DEIR
John and Marylou Allen

Traffic

To begin with, they fail to mention that their traffic study was conducted during the summer when Theodore Judah School was out and so there was less traffic; and that there were many street closures in the area due to city work on water systems which also does not reflect normal volume and usage. These both have very much skewed the overall data that they collected.

122-1

They also conveniently have left out their own calculations for 3,500+ vehicular trips being generated each day by MKV. Furthermore, they have not factored into the overall situation the additional traffic increases from the Stonebridge development with another 1,000+ vehicular trips per day.

122-2

Also, the traffic report does not take into account the hundreds of vehicular trips that the Stonebridge development will be adding on East Sac streets. Nor for that matter there is no mention of what impact of future cumulative increase in overall traffic throughout East Sac.

40th Street and Alhambra

If this access is built, there then will be a critical need to put a stop light at 40th and C Streets, along with cross walk lights for the children that are supposed to be walking to Theodore Judah School. How else will they (or for that matter anyone else) be able cross C St.-Elvas Blvd.? Otherwise, this intersection will just become another "crash corner." Sadly we will no doubt begin to see more White Bikes to mark where bicyclists and pedestrians have been killed by automobiles in our neighborhood.

122-3

Also, to cut back on the dangerous levels of speed along C St.-Elvas Blvd., a medium strip needs to be put in place by the developer as well, along with stop signs and bike lanes on both sides of the road. (All of which the developer should pay for!) This may help to slow down traffic a bit.

122-4

Furthermore, most residents, after waiting for one of the 30-60 trains to pass at 28th St. each day, will more than likely wind up using the 40th St. exit instead. This will place tremendous pressure on just one single exit. To relieve this situation, a second automobile access point should be built at Alhambra to mitigate the problem.

122-5

Schools

The mailer failed to make any mention of the increased number of children who will need to attend neighborhood schools from the Stonebridge development with 120 planned units. Furthermore they have failed to calculate into their number the students who have been displace from the closure of Washington School. Finally they are basing their estimate of school attendance on the low expectation that only 0.94 students per household will be going to Theodore Judah. Instead, with two to three kids per household, the number would in fact be hundreds of more students added onto already limited school resources.

122-6

Drainage

They MKV site is currently a bathtub without a drain. By connecting up MKV to East Sac antiquated and combined sewer-storm drainage systems, the project will place East Sac at even greater risk of localized flooding. This has been an ongoing problem for East Sac residents for many years



122-7

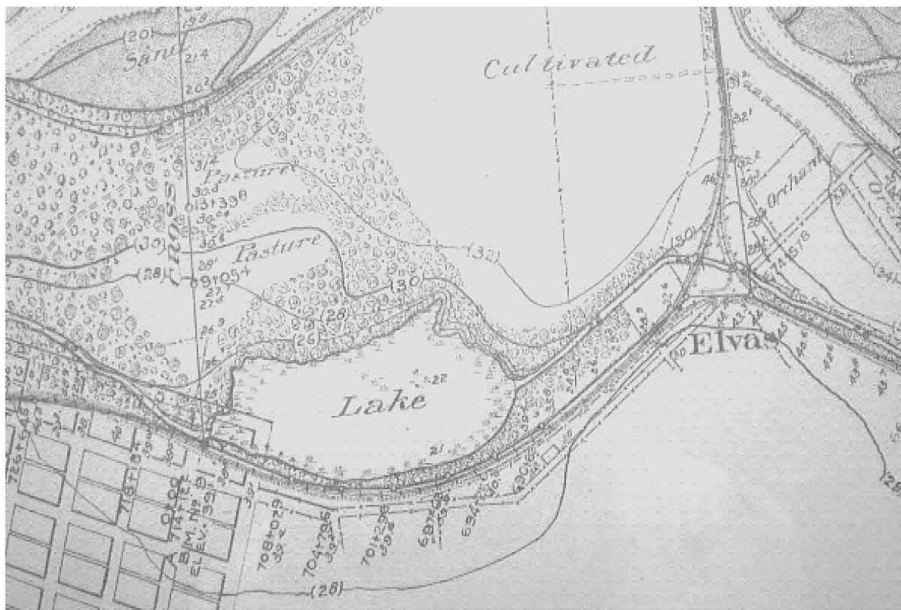
Rain dumps of 10 or more inches of rain in a very short period of time are would overwhelm this system even without additional drainage from MKV. It is hard to not see how this will not impact East Sac. Say for example a 10 inch down pour in a short period of time would lead to around 13.5 million gallons of water for 50 acres. How would this volume of flood runoff be handled by a detention pond designed to handle only 8 acre feet (c. 2.6 million gallons)? Would it remain in MKV? Would this then only wind up only being the “nuisance” for its residents which is spoken about in the report? Some nuisance! At the very least the home should have elevated foundations and escape hatches built into their roofs.



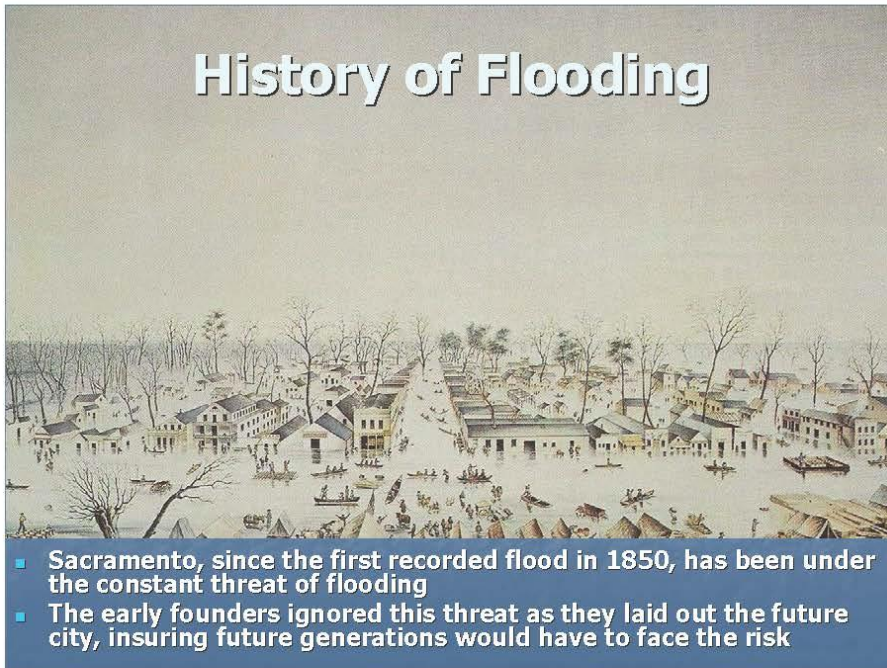
Vague assurances of mitigation in the future are found throughout Section 4.5. Two key words stand out here – “future” and “potential.” Both imply that there is no guarantee anything is mandated or will be in place. They represent a failure on the developers and planners to be fully forth coming with vital information at the time when the public (the tax-payers) and the decision makers (who they elected) are confronted with having to pass judgment on a project that will impact their lives for years to come. And who will pay for these mitigations? The developer? The builder? The home owners association? Or the tax payer? There needs to be a full disclosure made now that identifies the parties who are financially responsible should any future litigation and settlements take place.

122-8

Flooding



The proposed McKinley Village development poses some critical questions for not only Midtown and east Sacramento, but for the city and the state as well. The site of the current proposed McKinley Village (MKV) project – the most recent of the many proposals for the location – has never been developed. There are some very good reasons for why this location has not been developed.



122-9

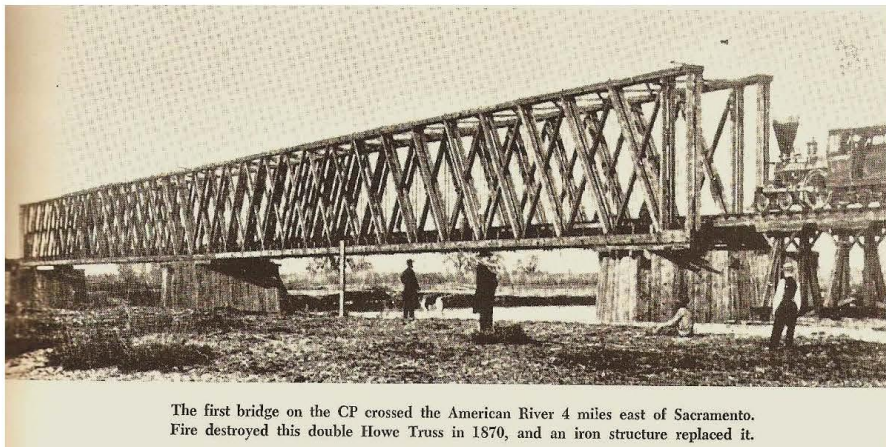
Over 150 years ago, city founders avoided including the location within first levee systems due to low elevation, swamps, quicksand, sloughs, and even a lake! Three of the four breaks that led to worst flood in Sacramento’s history in 1861-2, took place adjacent to this site – e.g. B and 28th Sts, Alhambra and C St. When the transcontinental railroad was being built in 1863, the builders bypassed the area because of its flood prone nature. Given the location’s lengthy troubled history, is it any wonder that the area has been seen for what it really is – river bottom land? More than a century ago, Sacramentans deemed the land only suitable for agricultural purposes – e.g. “Smith’s Gardens” and “Muldrow’s Gardens.” The area was only incorporated into the city limits in 1964, to further the expansion of the city dump and, had the freeway been routed differently, the area might have become an “infill” site with trash from the old city dump.

The current Union Pacific Railroad (formerly Southern Pacific) levee embankment has been built up and widened over the last 150 years, and during that time, has provided the city with its primary or secondary line of defense against flooding. Even as late as 1928, the city was saved from a major flood by the railroad embankment after the levee along the American River failed – North Sacramento was not so fortunate.

Current Sacramento Area Flood Control Agency (SAFCA) studies still recognize its vital role in offering Midtown and East Sacramento districts, the city in general and the capitol of California with a further line of flood protection. The proposed plan to puncture it with two (?) new underpass accesses (Alhambra Blvd. and 40th St.) will increase by 20% the number of openings, making it even more likely that there could be a major failure because of antiquated flood gate equipment, missing parts or not even enough personnel to carry out the closure of the floodgates in time.

Even if developed, the area could suffer a major catastrophic flood with much loss of life and property. According to a 2005 regional flood scenario study, the site could be covered in up to 25 feet of water within two hours or less – turning it from an evacuation site to a rescue site!

A Proven Track Record



The first bridge on the CP crossed the American River 4 miles east of Sacramento. Fire destroyed this double Howe Truss in 1870, and an iron structure replaced it.

Since 1863, the Union Pacific (the old Southern Pacific) railroad embankments became the basis for the first levees which provided most of East Sacramento with flood protection. It has served as either the primary or secondary levee for Sacramento since 1863. Over the years as the line was double tracked, the roadbed was raised and widened. The county and Union (Southern) Pacific RR continued to build up, strengthen and reinforce the sides of the earlier embankment. It has served as the first line of defense and directly withstood floods – e.g. 1867, 1871, 1875, 1878, 1892-3, 1906, 1907, 1909, 1911, 1914, 1915, 1917, 1927, 1928. They have also provided a backup tier of defense during the floods of 1930, 1935, 1937, 1938, 1940, 1950, 1955, 1964, 1973, 1983, 1986, 1997.



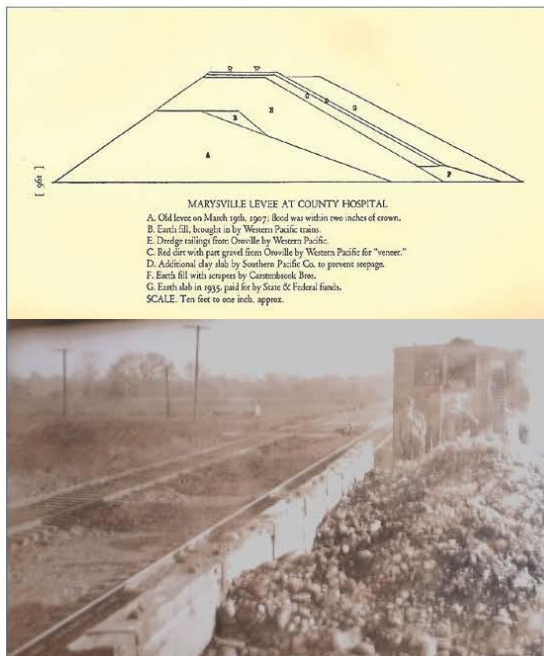
122-9
Cont.



Many now dismiss this tried and track proven levee as now being antiquated and altogether irrelevant to Sacramento’s flood protection needs. Though never intended to meet all of the city’s protection perimeters, the embankment-levee is still there (along with its flood gates) after more than a 150 years. Even a Sacramento Area Flood Control Agency (SAFCA) video, “Sacramento Flood Story,” has the railroad embankment holding back rising flood waters and providing precious time for evacuation in a dramatization of a flood event scenario.

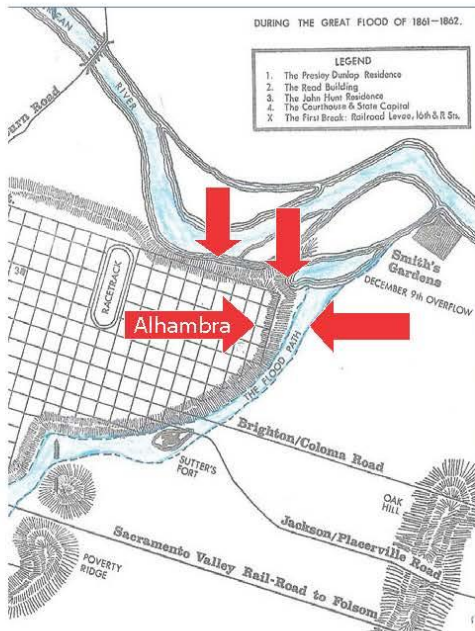
Not bad for “old school” construction. So claims that the railroad embankment is “not a certified levee” are more than misleading, they are down right false. These embankments have provided Sacramento with over 150 years of flood protection! Not a bad track record! No attention was given in the DEIR to conducting archaeological work and an engineering examination during the cuts in the railroad embankment. Besides being part of the original transcontinental roadbed, it would also be important to learn about the stratigraphy and internal structure and materials used in its embankment’s construction. (See diagrams below from Marysville levees)

122-9
Cont.



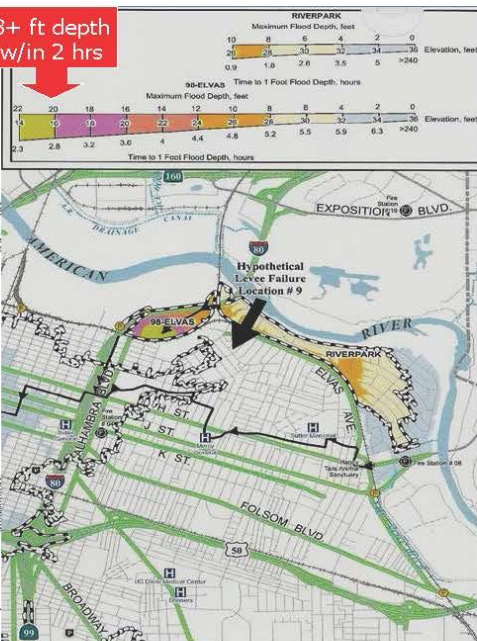
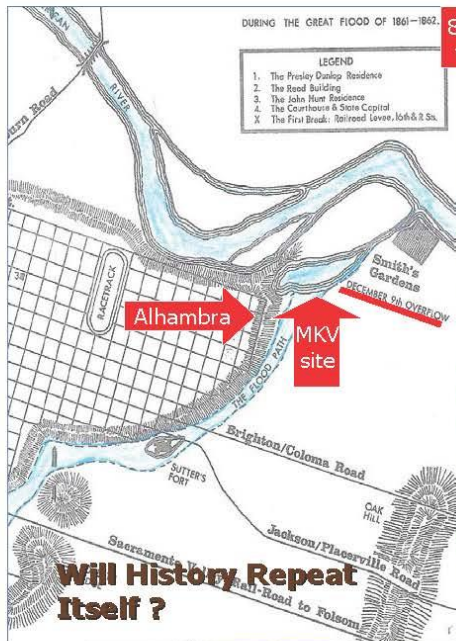
RR Bed

- Part of the UPRR embankment was built over the original B St levee and then extended in a southerly direction paralleling the American River in the 1860s
- It was probably added to as it was raised, widened and strengthened over the past 150 years with various types of materials



3 Major Breaks

- The winter flood of 1861-2, was the worst flood in the recorded history of Sacramento
- Sacramento was buried in some places under 4-8 feet of mud and silt
- This great flood was actually a series of four separate floods
- 3 of the 4 floods began in East Sac and Midtown areas very close to MKV site



Shouldn't the city do everything in its power to improve upon this backup system? Just as a good general would have contingency plans with multiple lines of defense in case of the need to fall back to a secondary defensive position, so should our city officials, who are charged first and foremost, with the safety of Sacramento and her citizens, likewise build on this second line of defense in their active planning for the next major flood event. Putting still more breaches

A levee system is only as strong as its weakest points -- and its weakest points are the floodgates. There are currently 10 pedestrian and vehicle access points cut through the levee -- 7th, 12th, 16th, pedestrian, Western Pacific railroad (both around 18th), Biz-80, H St, J St, CSUS pedestrian access, Folsom Blvd. (Hope I haven't left anything out) Adding two more cuts will increase the possible threat of failure by 20%. Remember there has also been a 20% cut in city staffing. There are already too many floodgates to close as it is! Adding more will greatly increase the chance of a total systems failure.

The developers of McKinley Village intend to cut 2 new breaches in the RR levee embankment (at Alhambra, and 40th St) -- adding 2 more breaches to the 11 current openings (including 6 in East Sac alone!). Despite the installation of floodgates these new openings represent a 20% increase in the total number. Each floodgate has to be closed manually, with many having to be assembled on the spot by 10-man crews and then sandbagged for leaks.



Furthermore, this will increase even more the possible flood threat to East Sac and the rest of the city. Beware of the so called "floodgate" protection you wind up with in these breaches. Instead of getting more costly self-closing, real floodGATES, we will instead probably get the do-it-yourself variety of erector set assemble type of (much cheaper) barriers (e.g. top logs, multiple panel A-frames or gasket gates to name a few). Keep in mind these latter options will actually require a crew of up to 10 men to assemble them AND sand bag them (as they usually leak) and take from one to four hours to close and seal. Then there are the floodgates to the north of the river as well! Keep in mind the

122-9
Cont.
122-10

122-11

city has sustained a 20% cut in staffing which will surely impact response times during an emergency. That and the likely hood that many city employees may not even be able to get to work or the sites due to major or localized flooding, road closures, etc.



Remember not all floodgates are created equal and the developer has been not at all forthcoming with any real details about the type or their construction! People mistakenly have in mind something like the side hinge closing gates at 7th Street. Why aren't the designs for the 2 new floodgates at Alhambra and 40th included in the DEIR? The people of Sacramento deserve to have the full opportunity to review them now before the final EIR is issued. At the very least, 2 state-of-art, automatically closing, side-hinged floodgates need to be installed at the Alhambra and 40th breaches. This would at least reduce the need to have more overstretched city staff required for their closure.

122-11
Cont.



The threat of flooding is the single most important issue confronting the city and people of Sacramento for the past 160 years. It continues to pose a Katrina-like threat today to hundreds of thousands of people – making Sacramento the second most flood prone city in the U.S.

The proposed 40th Street underpass would breach the second line of defense for East Sacramento and the city in general. Flooding within “McKinley Village” would put its 1500+ residents in grave and immediate danger – whether to close or not to close the flood gates? This while the city has to make similar decisions regarding other threatened locations north and south along the river.

Elevations in East Sacramento ranging from 15 to 56 feet in height. Even small variations in just a few feet of elevation can spell disaster – e.g. 10 foot deep flood level at Clunie Center and McKinley Park area. Ironically, the only probable safe places in all of Midtown-East Sacramento area during a flood would be East Lawn Cemetery and the old city dump!

The McKinley Village Project is just another example in a long pattern of risky land development in Sacramento. The proposed site puts its occupants at grave and immediate risk during a flood. Evacuation and rescue of over 1500+ residents of McKinley Village may prove to be next to impossible in the short time that is necessary to do so. The proposed plans for opening up the 40th underpass also puts the rest of East Sacramento in even greater danger – not only from the direct impact of flooding, but also from cutting vital rescue or evacuation routes and isolating much of East Sacramento from outside assistance.

Despite assurances that the risk of catastrophic flooding is minimal, the threat nevertheless still exists. And even in drought cycles! The threat will less likely come

122-12

from a failure of Folsom Dam, but instead from multiple levee failures or over topping simultaneously taking place along the American River.

The flood threats to East Sac and Midtown take basic 3 forms – two which can be seen and one that cannot: over topping of the American River, local internal flooding, and storm/sewer overflow. MKV project could possibly have serious impacts which could negatively affect any or all of these potential threats to flood protection

There are many facilities in Mid-town-East Sacramento that could potentially be impacted by flooding: 3 major hospitals; 2 fire stations; a California National Guard Armory, SMUD facilities; 7 schools; numerous daycare and eldercare facilities; 12 churches (potential relocation centers?); 1 animal hospital and 1 animal shelter. What provisions have been taken to facture in these facilities. Why have these issued not been fully addressed as they will surely be impacted should flood risks be increased for the area?

The DEIR makes an outright false statement when they claim that MKV will have “the same level of protection as East Sacramento, Midtown and Downtown.” Really? “Same” here must have a different meaning than the Oxford English Dictionary’s definition of the word – “identical, not different, unchanged, unvarying” Perhaps its meaning is closer to the original Latin word from which it is derived – *simulo*, “to pretend a thing is so.” So why is this development on the OTHER side of a secondary levee with floodgates which are there to provide a further line of defense for Sacramento in case of a failure of the American River levee system? The same level? I don’t think so!

122-12
Cont.
122-13

Floodgates and Underpasses



Beginning in 1912, Sacramento constructed its first underpass through the B St RR embankment. Further accesses were added over the years along with floodgates. With the addition of each new underpass or cut through the UPRR levee, the risk of flooding of

122-14

the rest of the city only increases. The proposed vehicle underpass openings in the UPRR embankment at 40th Street and Alhambra and B Street pedestrian access, pose a serious

The proposed vehicle underpass opening in the UPRR embankment at 40th Street and Alhambra and B Street pedestrian access, pose a serious threat to this second and last line of defense for Sacramento. Adding 2 more to a system of 11 current breaches could over burden the whole system – adding further chinks in its armor and basically turning the whole UPRR levee into sieve.

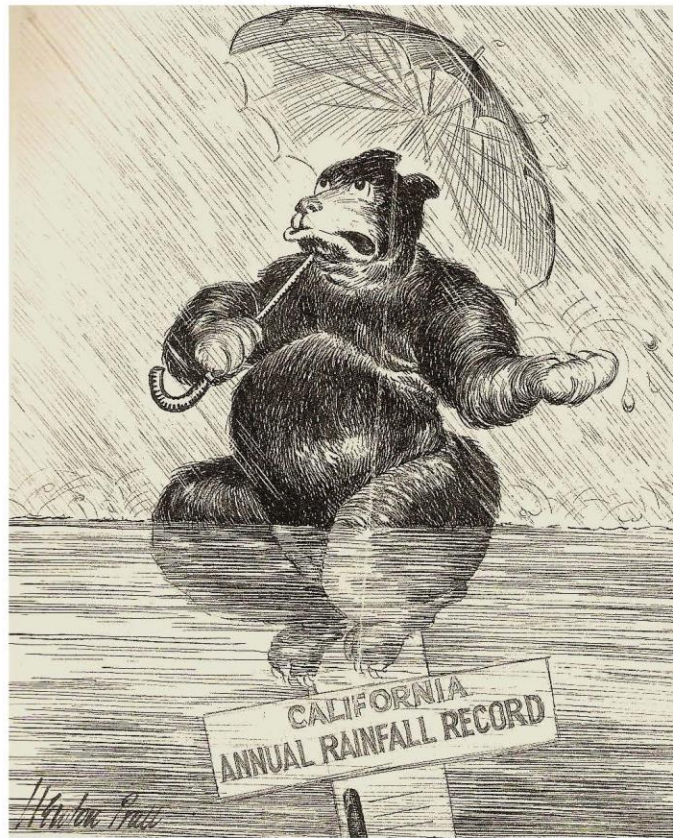
How will city workers tasked to manually close the floodgates carry out their duties in timely fashion – especially if they themselves are blocked from reaching each location by internal flooding? What about storage offsite of parts, equipment, etc? How will the increased number of RR embankment openings (not including Richards, 8th, 12th, 16, UPRR and pedestrian access, Business 80, H St, J St, CSUS pedestrian access , 65th St and 14th Ave. floodgates) be affected by new additions? Increasing their number, only increases the risk for Downtown, Midtown and East Sacramento in particular, the whole city in general and, by extension the Capitol, state government and the very governance and economy of the State of California! How will these issues be addressed? Levees are only as strong as their weakest points! So adding two more breaches to the system only further increases the number of weak points and thereby increases the risk of failure of the whole system.

Adding two more floodgate only raises or heightens already existing issues and concerns: antiquated equipment and missing parts; poor coordination, slow response times, and inexperienced crews; not enough crews to manually assembly floodgates or reach them in time; parts for floodgates stored off site preventing delivery to site in time; too few practice drills; flooded underpasses preventing access; “Business 80” floodgates have never put into operation!

Furthermore, underpasses themselves are often at risk of flooding and becoming inaccessible – blocking evacuation routes or closure of the floodgates. Flooding could also cut off evacuation along Hwy 80, Hwy 50, H Street Bridge, Light Rail corridors, etc. – making for dangerous conditions that could see hundreds or thousands being trapped in the central Sacramento area.



122-14
Cont.

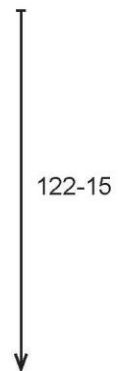


“Water planners and engineers established the “100-year flood” concept not to indicate the actual frequency of such events, but predict the likelihood of serious floods. Unfortunately, such predictions were based only on records of flooding available since statehood, in 1850.” (David Carle, Introduction to Water in California, 2004)

It is true that improvements to the levee system and Folsom dam have increased Sacramento’s degree of flood protection: many miles of levee improvements along the American (100 years); widening the dam outlets (140 years); and raising the elevation of Folsom dam (potentially 213 years).

It should always be kept in mind, however, that any figures based on so many years of flood protection do not actually represent any guarantee, only a prediction of possible flood events taking place in the future. This is due to the fact that they are based on records only going back to 1850

Given this lack of long range data, and the continued studies of global warming and its impact on weather patterns and long term climate, more unstable weather patterns (and less predictable forecasting) will become the norm. Rising sea levels also mean rising river (and flood stage) elevations too.



Instead our mind set should be; the farther removed in time we are from the last catastrophic flood, the closer we are to the next major event. In reality, all bets are off when it comes to any true flood prediction. The threat is real, immediate and it is always there!

“Flood protection” as a concept and strategy, has been developed by numerous entities with a vested interest in – Army Corp of Engineers, FEMA, the insurance and construction industries and local governments. They did so in order to try to assure those in flood prone areas that the risk from flooding remains a more-or-less abstract concept which that can lull many into thinking it will not happen in their lifetimes and so they do not have to concern themselves with the eventuality of such an event taking place. (Keep in mind, even FEMA, in one of its documents, talks about “the 100 year flood myth.”)

By increasing the risk of inundating Downtown, Midtown and East Sacramento the risk is multiplied for the whole city in general and, by extension the Capitol, state government and the very governance and economy of the State of California! And it should be noted, given California’s vital importance for the country, to the nation’s economy. It should be kept in mind that a 1907 nation-wide depression, the “Panic of ’07,” was impart triggered by the devastation caused to the nation’s economy by the 1906 San Francisco earthquake and fire. So how will these issues be addressed?

122-15
Cont.

It Can’t Happen Here!

What if the state got 8 feet of rain in 3 weeks?
Experts are creating a model of such a deluge.
They call it ...

‘FRANKENSTORM’

SCIENTISTS SEEK TO ESTIMATE MAGNITUDE OF DAMAGE

A weeklong series of storms in Southern California last week pounded the coast with waves, top, and created mudslides on hillsides stripped of vegetation by wildfires, above. But such storms would be a drop in the bucket compared to a “Frankenstorm.”

Many remain skeptical (at their own risk) when it comes to the threat of a major flood in their lifetime; especially in times of drought.

Must we once again repeat the old Sacramento story of the many being put at great risk for the benefit of just a few? It vitally important to keep in mind, that the farther away in time you are from the last major disaster event, the closer you are to the next one. Will we once again allow ourselves to create another man-made disaster and then blame it on nature? Disaster does not have to become destiny!

By deemphasizing the potential for nature’s destructive role and claiming that the risks are minimal, we try to rationalize and normalize disaster situations. This then allows us to evade, disavow and even deny any moral responsibility for our own short-sighted actions. Denial then allows for collective amnesia and the politics of forgetfulness. In turn we can set the blame on nature and not ourselves for “natural” disasters. In the end, “natural” disasters – like floods, quakes, storms – are really man-made disasters that just happen to intersect with the forces of nature. We cannot unmake the mistakes of the past, but we can possibly prevent others from happening. Ultimately, the responsibility lies with us to make sure there are as few “natural” disasters in the future as possible.



Some of my first memories as a child here in Sacramento, are of floods. In the winter of 1955, my father took me to the American River levee somewhere near where CSUSacramento is today. All I could see in front of me was vast expanses of a leaden-gray sky and steel-gray flood waters extending as far as the eye could see. Then in 1986, while I was attending CSUS, I went up onto the same area of levee and saw an raging muddy river just a couple of feet below where I was standing!



122-15
Cont.



122-15
Cont.

I have no wish to repeat that experience and the fears that go with ever again. Still the threat is there AND it is real. Remember the farther in time we are removed from the last major flood event, the closer we are to the next.

I want to make sure that not only East Sac, but that the whole of our city, is protected as best as possible. It is the primary responsibility and duty of our elected officials and city staff and employees to protect the people they represent and serve. We need to do all in our powers to do this and not have Sacramento become the next New Orleans.

Letter 122: John and Marylou Allen, January 10, 2014

- 122-1: The commenter states that the traffic study fails to note that it was conducted at a time when traffic was skewed because schools were out for summer and many streets were closed due to construction.

Please see Master Response 3 that addresses the timing of the traffic study.

- 122-2: The commenter states that the calculations in traffic study do not account for the “3,500+ vehicular trips” generated by the proposed project on a daily basis.

Project-generated traffic is fully accounted for in all calculations included as part of the Existing Plus Project and Cumulative Plus Project analyses. Please refer to Draft EIR pages 4.9-38 through 4.9-62 for the analyses pertaining to the Existing Plus Project scenario, which layers project-generated traffic on top of existing traffic levels within the study area. Please refer to Draft EIR pages 4.9-73 through 4.9-92 for the analyses pertaining to the Cumulative Plus Project scenario, which evaluates the cumulative effects of the proposed project in addition to other planned infrastructure projects and land development projects in the area.

The commenter goes on to state that the traffic study does not account for traffic associated with “the Stonebridge development,” which presumably refers to a project currently in the planning stages that would replace Sutter Memorial Hospital in East Sacramento with residential land uses (Sutter Park). The commenter states that “there is no mention of what impact of future cumulative increase in overall traffic throughout East Sac” [sic].

The cumulative scenario included in the Draft EIR uses the most recent version of the SACMET regional travel demand model, which incorporates planned land use growth within the City as well as the surrounding region (DEIR, p. 4.9-63). The Cumulative Plus Project scenario included in the Draft EIR is based upon traffic forecasts created using this model, and accounts for projected traffic increases resulting from both the proposed project as well as from other planned developments within the City and SACOG region. Regarding the Stonebridge project, this project will replace the existing Sutter Memorial Hospital and traffic generated from the Stonebridge project is found to be lower than the Sutter Memorial Hospital traffic (page 5.8-24, Sutter Park Neighborhood Project Draft EIR, October 2013).

- 122-3: The commenter expresses support for the installation of a traffic signal at the C Street/40th Street intersection and states that a traffic signal would benefit pedestrian and bicyclists crossing C Street.

The Draft EIR includes an evaluation of traffic operations at the C Street/40th Street intersection under Existing Plus Project and Cumulative Plus Project conditions. This evaluation found that with all-way stop control installed, this location would operate with low levels of delay under all scenarios (LOS A during both peak hours under Existing Plus Project conditions and LOS B during both peak hours under Cumulative Plus Project conditions) (DEIR, p. 4.9-93). The Draft EIR also includes a recommendation for a marked crosswalk with a raised pedestrian island on C Street.

- 122-4: The commenter expresses support for the installation of a median, additional stop signs, and bicycle lanes on C Street/Elvas Boulevard, and states that these features would assist with slowing traffic.

Please see Response to Comment 122-3 above. The installation of the raised pedestrian islands on C Street and the marked crosswalks will be a condition of approval for the proposed project.

- 122-5: The commenter suggests adding a second access point at Alhambra to reduce potential traffic pressure on the 40th Street exit.

As discussed in the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours in the existing plus project scenario. (DEIR, p. 4.9-51.) An additional access point at Alhambra is not required.

Please see Master Response 1 that addresses the infeasibility of a bridge/roadway undercrossing at Alhambra.

- 122-6: The commenter states that the evaluation of the project's impacts on schools is not adequate because it fails to consider cumulative conditions and uses a low expectation of students per household.

Please see Master Response 2 that addresses school capacity and Master Response 6 that addresses persons per household assumptions. Section 4.7 of the Draft EIR on page 4.7-32 addresses the project's contribution to a cumulative impact on schools. The project's contribution is determined to be less than significant.

- 122-7: The commenter states that the project will increase risks of localized flooding by being connected to the combined sewer-storm drainage systems in East Sacramento.

The project is draining to Sump 99 and not the combined sewer-storm (CSS) drainage system therefore will not impact the existing drainage system in East Sacramento and will not increase the risk of localized flooding. In addition, the project will be constructing a sewer surge tank to retain sewer flows during peak storm events to mitigate impacts on the CSS. Please see also Responses to Comments 31-61 and 31-62.

Commenter's opinion will be forwarded to the decision-makers for their consideration.

- 122-8: The commenter offers the opinion that there needs to be full disclosure of the mitigation mentioned in Section 4.5, including responsible parties.

As indicated in Section 4.5 of the Draft EIR, the project would result in no impacts requiring mitigation. However, for those impacts where mitigation is required information regarding responsible parties will be included in the Mitigation Monitoring and Reporting Program (MMRP).

- 122-9: The commenter provides historical information regarding the reasons the site has not been developed in the past, including flooding in the project area. The commenter offers the opinion that the project would increase the risks of flooding by tunneling through the railroad embankment.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding. As discussed on page 4.5-8 of the Draft EIR, "...the project site is outside of the 100-year flood hazard zone (Zone AE), but within Zone X, which is defined as areas that are protected from the 100-year flows by levees (FEMA 2012). The project site has the same level of flood protection as existing Sacramento neighborhoods such as McKinley Park, East Sacramento, River Park, Midtown, and Downtown, which are all protected by the certified flood control levee on the south bank of the American River." Impacts 4.5-4 and 4.5-5 address hazards associated with flooding due to a levee break as well as the addition of two tunnels through the UPRR embankment. Impacts associated with flooding are less than significant and no mitigation is required. Please see Responses to Comments 122-7 and 122-13.

Commenter's opinion will be forwarded to the decision-makers for their consideration.

- 122-10: The commenter continues to express concern regarding the project's impacts on the levee system and potential for failures due to the increase in openings and challenges using floodgates.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding and Responses to Comments 122-9 and 122-7.

- 122-11: The commenter continues to describe his concerns regarding the use of floodgates and increased risk of floods. The commenter questions why the design of the new floodgates are not included in the Draft EIR.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding and Response to Comment 122-7.

As described in the Project Description (DEIR, pp. 2-45 and 2-46) of the Draft EIR, “flood gates or other flood control structures acceptable to the City would be installed at both the vehicular and, if approved by UPRR and the appropriate government agencies, the bicycle/pedestrian underpass as a secondary flood control device in the event of an American River levee failure.” Additional detail regarding the design of the new floodgates is not known at this time and is not required to be included in the Draft EIR.

- 122-12: The commenter continues to offer his opinion regarding the threat of flooding on the City of Sacramento, and asserts that the Draft EIR makes a false statement regarding the project’s level of protection from flood risks.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding and Response to Comment 122-7.

- 122-13: The commenter asserts that the Draft EIR makes a false statement regarding the project’s level of protection from flood risks because it is not protected by the secondary levee it does not have the same level of protection.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding. As stated on page 4.5-10 of the Draft EIR, “[t]he UPRR embankment, which is to the south and east of the project site, is not a certified levee. While the embankment functioned as a levee prior to the construction of the American River levees in the early 1950s, it does not meet current ACOE levee design criteria. Nevertheless, the City of Sacramento identifies the UPRR embankment (from approximately 7th Street in downtown Sacramento to approximately 14th Avenue in the Power Inn area) as a secondary flood control facility.” “Because of its ancillary benefit for the purposes of flood control, the City of Sacramento has required flood gates on streets that penetrate the UPRR embankment. Flood gates are defined here as flood control structures that can be used to seal off openings in the embankment in the event of a levee break.” The project would not physically affect the American River levee, and because the analysis of the project includes potential exposure to several

levee failure scenarios (see Impact 4.5-4), the analysis has adequately addressed potential flood issues and the impact are less than significant. See also Responses to Comments 31-7 and 31-8 regarding the Draft EIR's analysis of the existing environment's impacts on the project.

Commenter's opinion will be forwarded to the decision-makers for their consideration.

122-14: The commenter reiterates his concerns expressed in comments 122-7 through 122-13.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding and Responses to Comments 122-7 through 122-13.

122-15: The commenter offers his opinion and personal history regarding the threats of flooding and the potential for such threats to increase over time.

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding. The comment does not raise issues regarding the adequacy of the Draft EIR or information contained in the Draft EIR. No further response is required.

Comment Letter 123

Dana Allen

From: george raya <georgeraya@yahoo.com>
Sent: Friday, January 10, 2014 4:55 PM
To: Dana Allen
Subject: RE:Comments on DEIR for McKinley Village Development

From:
George Raya
911 - 28th Street, Apt. 1
Sacramento, CA 95816
Cell: 916-508-5232
georgeraya@yahoo.com

To:
Dana Allen, Associate Planner
City of Sacramento , Community Development Dept.
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

RE: Comments on DEIR for McKinley Village Development

Dear Mr. Allen:

I have been a resident of Midtown, off and on, since 1970. I moved into the house next door to to my current address, 903 - 28th Street, when I was a Junior at Sac State. I remember what Midtown was like when most of the streets were one-way. At 29th Street, 'I' Street was like a freeway, the folks from East Sac zooming to work.

Adding all this new traffic from McKinley Village won't make it as bad as the old days, but it will be a traffic problem. With cars coming down 28th Street from Sutter's Landing Regional Park/McKinley Village, all the street off of 28th will be jammed with new traffic. I notice there was no traffic study for D, E, F, and etc. There will be increased traffic at those intersections.

123-1

It was be a lot better if the traffic went a tunnel at Alhambra, instead of A Street.

123-2

As far as mitigation, there needs to be street lights along 28th Street, G through C Street, so pedestrians are seen by the automobile drivers.

123-3

George Raya

Letter 123: George Raya, January 10, 2014

- 123-1: The commenter expresses concern regarding additional traffic on streets connecting to 28th Street, and states that there was no analysis of streets connecting to 28th Streets including D Street, E Street, F Street, “and etc.”

This comment inaccurately portrays facilities studied in Section 4.9 of the Draft EIR. The intersections of D Street/28th Street and F Street/28th Street were evaluated as part of all scenarios under Existing Plus Project and Cumulative Plus Project conditions.

Please refer to Master Response 5 (Request for Additional Traffic Study Locations in Midtown) regarding F Street.

- 123-2: The commenter states a preference for an access location to the proposed project located at the northern terminus of Alhambra Boulevard.

Please see Master Response 1 that addresses the infeasibility of a bridge/roadway an undercrossing at Alhambra.

- 123-3: The commenter states that street lighting should be provided on 28th Street, and C through G Streets to improve the visibility of pedestrians.

Section 4.9 of the Draft EIR evaluates potential safety impacts to pedestrians and bicyclists associated with vehicle traffic. The Draft EIR concludes the impact is less than significant and, therefore, mitigation such as off-site street lighting is not required pursuant to CEQA. The comment is forwarded to the decision makers for their consideration.

Comment Letter 124

Dana Allen

From: Tamarin <lizzypod@hotmail.com>
Sent: Friday, January 10, 2014 4:53 PM
To: Dana Allen
Subject: Comments on McKinley Park Village

Dana Allen, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
dallen@cityofsacramento.org

Dear Dana,

Please consider the following comments concerning the McKinley Village DEIR.

Transportation and Circulation

P. 2-46 - The document does not satisfactorily discuss the potential for vehicle access to Alhambra Blvd. It is apparently possible to construct an underpass large enough for city maintenance vehicles to go underneath the railroad tracks. Why not have two such underpasses and set limits on height of vehicles accessing the neighborhood through those access points? An alternative evaluating this option should be discussed in detail.

There is no discussion of access to Alhambra via overpass in lieu of the A Street access point. Alhambra is a key corridor for traffic. This would eliminate safety and traffic impacts on the adjacent neighborhood.

The DEIR rejects out of hand the possibility of having only the A Street and Alhambra as vehicle access points because of the potential need for multiple access points in case of emergency. This is no different than the situation in River Park, however, where the two access points are only blocks apart. This alternative should be discussed in detail.

There is no discussion of the possibility of having three access points: A Street; 40th and Alhambra. This option would address the majority of the traffic and safety concerns regarding the adjacent neighborhood as well as the emergency access concerns described in the DEIR.

The DEIR provides inadequate details and discussion of traffic during the estimated three years of construction. Specifically, the DEIR improperly proposes to defer any discussion of those details until a later time:

"Construction equipment and construction worker vehicles generally would be staged on site or at the adjacent Cannery Business Park site. Per City requirements, the project applicant is required to prepare a traffic management plan for construction vehicles and equipment that would be reviewed and approved by the City's Department of Public Works prior to beginning any construction activities."

The City cannot conclude there are insignificant effects or no need for mitigation without fully evaluating any such



traffic management plan.	↑ 124-2 Cont.
The traffic analysis does not evaluate several key corridors for traffic. The majority of morning traffic from the project will presumably go downtown or onto the freeway. There is no evaluation of traffic from 36th and McKinley to the freeway, despite the fact that this is where most traffic will go to get on the E Street on-ramp (going east) or go under the freeway to get on the H Street on-ramp (going west). (See map locations 16 to location 8.)	124-3
There is no evaluation whatsoever of impacts to H Street or corridors going to H Street from the project. H Street provides the primary on-ramp to the freeway for traffic going west.	124-4
There is no evaluation of traffic from McKinley and 39th to H Street and 39th. 39th is a main corridor from the neighborhood to H Street because of the controlled intersections at 39th/H and 39th/J. There is no evaluation of the impact on this area.	124-5
There is no evaluation of corridors leading from the project downtown. No westbound midtown streets were part of the traffic study.	124-6
C Street between 33rd and Alhambra is effectively a one-way street where cars must pull over to the side to allow another car to pass in the opposite direction. The DEIR fails to address this narrowness of this road and related safety concerns sufficiently.	124-7
In addition, the project identifies C Street between 33rd and Alhambra as a “major collector” and establishes that such a corridor (a “two lane” with speed bumps) may have 8000 cars and still achieve level A service. Any person familiar with this stretch is aware – based on common sense - that this corridor cannot sustain 8000 cars per day (primarily during peak hours – perhaps 8000 makes sense over 24 hours) and have free flowing conditions. Given the existing conditions described above, any additional traffic in this stretch will be a significant impact. The DEIR not only fails to note the significant impact but proposes no mitigation measures for this segment to accommodate the increased traffic. This is a fatal flaw in the traffic study and conclusions.	124-8
The section on Trip Distribution fails to discuss impacted high schools other than Hiram Johnson. The vast majority of high school aged students in East Sacramento and River Park do not attend this high school. Rather, they attend McClatchy, Rio del Oro and West Campus. There is no discussion of traffic or other impacts of 300+ houses on those schools.	124-9
Mitigation Measure 4.9.1 is not a realistic option. The DEIR recognizes that traffic at H and Alhambra already experiences delays during peak traffic times. If merely retiming the signal is all that would be required to resolve that impact, the City would have already reduced the impact on that intersection. This is not a true mitigation measure. Therefore the identified significant impact has not been mitigated whatsoever.	124-10
The community has no access to regional transit, regional transit stops are not proposed in the project area, and the project is located too far from the nearest stops to encourage the use of public transportation. This is directly contrary to tenets of sustainable community strategies.	124-11
Other Comments	
There is no discussion in the DEIR of the possibility of an East Sac High School on half of the property, with	↓ 124-12

mixed use/residential as proposed on the remainder of the parcel. I am requesting that the final EIR address such an alternative.

↑ 124-12
Cont.

The DEIR acknowledges that the existing neighborhood and sewer system is inadequate and has had frequent flooding in recent years. The DEIR does not adequately address this problem. Specifically, in section 4.8, the DEIR proposes to address this problem at some point in the future: "Before the ultimate facilities can be constructed, the City requires a detailed pump station, force main, and detention tank design report be provided." This is an improper deferral of a critical project component, which must be analyzed before the City can conclude there is "no significant effect."

124-13

p. 2-45 - states that there would be flood gates on the underpass for pedestrian access. The DEIR does not address whether the construction of underpasses would affect the current determination of the adjacent neighborhood area (East Sac) as a "no flood zone."

124-14

Thank you for your consideration of these comments. I look forward to seeing them addressed in the Final EIR.
Tamarin Austin
270 San Miguel Way
Sacramento, CA 95819

Letter 124: Tamarin Austin, January 10, 2014

- 124-1: The commenter states that the Draft EIR does not adequately discuss the potential for vehicle access to Alhambra Boulevard and suggests consideration of alternatives such as having multiple access points.

A third vehicular access to the project site is not required to mitigate project-related traffic impacts to less than significant. As discussed in Section 4.9 of the Draft EIR, the traffic analysis prepared for the project concludes that both project access points (the new intersection of 40th Street/C Street between Tivoli and 40th, and the 28th/A Street intersection) function at LOS A during the AM and PM peak hours in the existing plus project scenario. (DEIR, p. 4.9-51.) No additional access is required. Please also see Master Response 1 that addresses the infeasibility of a bridge/roadway undercrossing at Alhambra.

- 124-2: The commenter states that the Draft EIR does not provide adequate discussion of construction traffic and defers discussion of such details by describing the requirement to prepare a traffic management plan. The commenter offers the opinion that evaluation of a traffic management plan would be necessary to fully evaluate impacts.

As described on page 4.9-62 of the Draft EIR, Mitigation Measure 4.9-5 requires the preparation of a traffic management plan to the satisfaction of the City Traffic Engineer. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. By requiring acceptable operating conditions to be maintained on all local roadways and freeway facilities, the plan will avoid traffic impacts in neighborhoods near the project site.

- 124-3: The commenter states that the “majority of morning traffic” generated by the proposed project “will presumably go downtown or onto the freeway.” The commenter goes on to state that there is no evaluation of traffic at McKinley Boulevard/36th Way, which is the intersection that most traffic will utilize to get to the freeway.

The intersection of McKinley Boulevard/36th Way is a study intersection included in the analyses contained in Section 4.9, Transportation and Circulation of the Draft EIR.

According to page 4.9-40 of the Draft EIR, the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 41, 43) and incorporated into the traffic analysis relied upon multiple analytical techniques, including the following:

- Project-only traffic assignment using the Base Year SACMET regional travel demand model.
- Location of schools that would serve study area (Theodore Judah Elementary, Sutter Middle, and Hiram W. Johnson High).

- Relative travel time/speed comparisons between the project and key destinations (e.g., Capital City Freeway) for various travel routes.
- Review of existing traffic count data.
- Relative ease of travel on parallel routes (e.g., coordinated signals and one-way traffic using multiple lanes on 29th and 30th Streets versus bi-directional traffic and frequent stops on 28th Street and Alhambra Boulevard).

In summary, a comprehensive analytical approach was undertaken to develop the project's expected inbound and outbound trip distribution percentages. Independent review of these calculations and analysis methods by City of Sacramento staff confirmed their reasonableness and validity for use in the Draft EIR. The trip distribution percentages are considered appropriate by the City and the City's transportation consultant, Fehr & Peers, based on their professional judgment and experience in dealing with similar projects.

The commenter does not provide substantial evidence for the statement that most freeway traffic will utilize the McKinley Boulevard/36th Way intersection. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, § 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

124-4: The commenter states that there is no evaluation of trips using the H Street corridor to travel to the freeway.

As stated on page 4.9-3 of the Draft EIR, study facilities were selected based on the project's expected travel characteristics (i.e., project location and amount of project trips) as well as facilities susceptible to being impacted by the project. During the NOP comment period, the study area was expanded to include several additional local street facilities in response to comments received. The Draft EIR includes evaluation of 32 intersections, 19 roadway segments, and 8 freeway facilities.

These facilities include the H Street/Alhambra Boulevard intersection. As stated on page 4.9-25 of the Draft EIR, the H Street/Alhambra Boulevard intersection currently has the highest level of delay within the study area, and operates at LOS F during the AM peak hour under existing conditions. The westbound approach to this intersection is the most heavily delayed approach during the AM peak hour, consistent with field observations that identified substantial queuing on westbound H Street adjacent to McKinley Park, extending from the H Street/Alhambra Boulevard intersection.

The project was found to have a significant impact to the H Street/Alhambra Boulevard intersection under both the Existing Plus Project and Cumulative Plus Project scenarios, and mitigation measures are included in the Draft EIR. As documented on pages 4.9-60 and 4.9-90, these mitigation measures would reduce impacts at this location to a less-than-significant level.

124-5: The commenter states that there is “no evaluation of traffic from McKinley and 39th Street to H Street and 39th Street.”

Please refer to Master Response 5 (Request for Additional Traffic Study Locations in Midtown and East Sacramento) regarding the evaluation requested from McKinley Boulevard to 39th Street to H Street and 39th Street. Please see also Response to Comment 124-3, which explains the techniques used to develop the project trip distribution estimates.

124-6: The commenter states that the transportation study does not evaluate corridors between the project and downtown, and states that no “westbound Midtown streets were part of the traffic study.”

Please refer to Master Response 5 (Request for Additional Traffic Study Locations in Midtown and East Sacramento) for a response to this comment.

124-7: The commenter states that C Street between Alhambra Boulevard and 33rd Street is narrow, and that the Draft EIR does not reflect this fact.

Please see Response to Comment 96-4.

124-8: The commenter states the segment of C Street between Alhambra Boulevard and 33rd Street “cannot sustain 8,000 cars per day” while maintaining free-flow conditions, and states that this segment would be significantly impacted by the proposed project.

Please refer to Response to Comment 124-7. Additionally, no significant impacts to this portion of C Street were identified under Existing Plus Project conditions or Cumulative Plus Project conditions per the City’s impact significance criteria.

124-9: The commenter states that the traffic discussion fails to include high schools that may be impacted by the project.

The traffic study evaluates trips associated with project residents and identifies a trip distribution based on various factors noted on page 4.9-40 of the Draft EIR. The traffic analysis evaluates traffic associated with project residents accessing schools that would serve the project site. Although students may choose to attend other schools or private schools, for the purposes of the traffic analysis modeling it is not known what

percentage of students would attend other schools, therefore, the analysis conservatively assumes only the schools that would serve the project site. The traffic analysis is not addressing the trip distribution of all of East Sacramento residents, only project residents.

- 124-10: The commenter states Mitigation Measure 4.9-1 would not mitigate the project impact identified at the H Street/Alhambra Boulevard intersection.

As documented on page 4.9-60 of the Draft EIR, “[i]mplementation of Mitigation Measure 4.9-1 would improve peak hour operations at the H Street/Alhambra Boulevard intersection to an acceptable LOS D during the AM peak hour. With implementation of Mitigation Measure 4.9-1, the impact would be **less than significant.**”

The commenter provides no substantial evidence that Mitigation Measure 4.9-1 would not mitigate the project identified at the H Street/Alhambra Boulevard intersection. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

- 124-11: The commenter states that the project site would have no access to regional transit, that no transit stops are proposed within the project area, and that the project is located too far from the nearest stops to public transportation.

Transit services in the vicinity of the proposed project are documented on pages 4.9-15 and 4.9-16 of the Draft EIR. As stated in the Draft EIR, the closest stop to the project site is located just over a quarter mile south of the proposed bicycle/pedestrian access point at the intersection of E Street/Alhambra Boulevard. The proposed access points to the project site would result in relatively direct connections to existing bus stops (i.e., bicycle/pedestrian access at Alhambra Boulevard would provide for a direct route to the nearest bus stop to project located at the Alhambra Boulevard/E Street intersection (if approved by Union Pacific and the appropriate government agencies); C Street access roadway would provide for direct route to the stop located west of 40th Street/McKinley Boulevard intersection) (DEIR, pp. 4.9-58, 4.9-59).

Per the City’s impact significance criteria, no significant impacts to public transit operations were identified under Existing Plus Project or Cumulative Plus Project conditions as the project provides access to transit and does not adversely affect public transit operations.

- 124-12: The commenter requests the consideration of an alternative that includes a high school on half of the project site with mixed use/residential on the remainder of the site.

Please refer to Chapter 5 of the Draft EIR, Project Alternatives, for a discussion of the alternatives considered for the proposed project. Please see Response to Comment 26-9 regarding a reasonable range of alternatives evaluated. The comment is forwarded to the decision makers for their consideration.

- 124-13 The commenter states that the discussion of sewer system facilities in the Draft EIR is an improper deferral of the issue.

Please see Response to Comment 31-61. The Combined Sewer Detention Project is a separate City project that would undergo a separate environmental review process. Because the Combined Sewer Detention Project is a potential future project, is not proposed by the project applicant, and is outside the scope of the analysis, the Draft EIR is not required to (nor can it) provide a more detailed description. As discussed in the Draft EIR on pages 4.8-30 and 4.8-31, the City's wastewater infrastructure has adequate capacity to serve the project and the project would include its own sewer detention tank to detain excess sewer during peak flows. Therefore, impacts associated with the conveyance and treatment of wastewater from the project site were determined to be less than significant.

- 124-14: The commenter states that the Draft EIR does not address how the construction of underpasses would affect the designation of the East Sacramento area as a "no flood zone".

Please refer to Section 4.5 of the Draft EIR, for a discussion of the potential impacts related to flooding. As explained in the Draft EIR, the project is not located within a 100-year flood zone and is protected from the 100-year flood by a system of levees; therefore issues associated with construction within a 100-year flood zone were not required to be addressed. (DEIR, p. 4.5-30.) The Draft EIR also explains that flooding due to dam or levee failure was discussed under Impacts 4.5-4 and 4.5-5 in the Draft EIR. (Ibid., citing discussion on pp. 4.5-41 to 4.5-46.) The Draft EIR also explains under Impact 4.5-4 the fact that flood gates would preserve the secondary flood control function of the UPRR embankment. The analysis of levee failure scenarios presented in the Draft EIR (which makes numerous worst case assumptions about the location and magnitude of the levee breach) is provided expressly to inform decision makers and the public about the potential effects such an event could have; even though the proposed project would have no effect on the timing or magnitude of flood events, or the location and likelihood of a levee failure.

Comment Letter 125

Dana Allen

From: Susann Hadler <susannhadler@yahoo.com>
Sent: Friday, January 10, 2014 4:46 PM
To: Dana Allen
Subject: Mc Kinley Village

I just want to voice that I am firmly against the Mc Kinley village project. The impact on the current neighborhoods would be devastating. The J Street area has already be come a mess since they changed the lane configurations to being only one lane each direction. More cars would impact the quality of life for the entire area. I have lived on 43rd Street since 1986 and would hate to see all of the negative changes that this development would cause.

|
125-1
|

Susann Hadler
1033 43rd Street

Letter 125: Susann Hadler, January 10, 2014

125-1: The commenter expresses her opposition to the project due to the impact it would have on existing neighborhoods and traffic.

Please see Master Response 10 that addresses neighborhood livability in terms of traffic.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 126

Dana Allen

From: Carl Seymour <carlsccp@surewest.net>
Sent: Friday, January 10, 2014 10:42 PM
To: Dana Allen
Subject: Comments on McKinley Village EIR

Dana,

I have reviewed bits of the draft EIR and proposed development plan, and have the following concerns.

1. C Street has incorrectly been identified as a "Major Collector", which is in fact incorrect. This has been brought up before, and our City Councilman Steve Cohen was supposed to have ensured that the error would be corrected. It apparently has not been. Standards for Major Collectors and residential streets are, and should be, different.

126-1

2. C Street traffic already exceeds the City's own stated standards for "residential livability". Further increases will effectively tilt this beyond livability, resulting in deterioration of the neighborhood.

126-2

3. The City's original plans called for Elvas Avenue to connect to 16th street via the project site, using the A Street overcrossing. As designed, the plan effectively closes forever the possibility of this important solution to East Sacramento traffic. McKinley Village's street system should be designed to allow the City to complete this "Elvas Expressway" in the future when it is needed. (It is needed now).

126-3

4. The proposed 16 foot sound wall will act to reflect sound from railroad trains into the existing neighborhoods, much like a "choral shell" reflects performers voices into the audience. Obtaining quiet for a new neighborhood at the expense of homes constructed in the early 1900's is not acceptable.

126-4

5. Placing housing so that it backs up against the railroad tracks is an extremely poor idea for several reasons. a) These homes will be undesirable to live in, resulting in high turnover. A "neighborhood" is not created when neighbors don't stay long enough to get to know each other. b) These homes will be risky to live in. Although it is rare, trains do derail, and we saw a catastrophic example of this recently near Fargo, North Dakota. Imagine if that massive fire had occurred in an area of occupied homes! People living and sleeping in homes next to railroad tracks would be at great risk should a derailment occur here. c) Currently, the homes along B Street abutting the railroad tracks experience "casing" by would-be burglars, who walk along the RR tracks and throw pebbles at the windows to see who is home. d) Home abutting the railroad tracks have very little privacy. For all of the above reasons, my friends who bought a home on B street ended up selling and moving very shortly after buying.

126-5

There is no reason to create a similar problem when starting from scratch. Rather, the main thoroughfare for McKinley Village should be next to railroad tracks, providing a more logical traffic flow, providing a safe zone in the event of catastrophic derailment, providing a

126-6

buffer zone from noise and vibration, and preserving the possibility of connecting Elvas to 16th street someday.

Sincerely,

Carl Seymour
3116 C Street
(916) 444-9164 ext. 301

↑
126-6
Cont.

Letter 126: Carl Seymour, January 10, 2014

- 126-1: The commenter states that C Street between 30th Street and 33rd Street is incorrectly classified as a “major collector” in the DEIR, and that it should instead be classified as a local street.

Please see Response to Comment 96-4.

- 126-2: The commenter states that traffic on C Street already exceeds the City’s standards for “residential livability” and increased traffic would result in deterioration of the neighborhood.

Please see Master Response 10 that addresses neighborhood livability in terms of traffic. C Street between Alhambra and 33rd Street, as provided in Response to Comment 126-1, is designated as a local street which currently operates at LOS C which is within the City’s standards for local streets. Commenter’s assertions are based solely upon speculation and are not supported by substantial evidence. Substantial evidence includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.” (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere “[a]rgument, speculation, unsubstantiated opinion or narrative,” or evidence that is “clearly inaccurate or erroneous.” (Guidelines, Section 15384, subd. (a).)

- 126-3: The commenter expresses concern that the project would prohibit the completion of the “Elvas Expressway,” which would connect Elvas Avenue to 16th Street. The commenter goes on to state that the project site plan should be designed to allow for future implementation of this project.

The City of Sacramento 2030 General Plan does not show that there will be a future extension of Elvas Avenue to connect to 16th Street using the A Street Bridge. This comment relates to issues that are relevant to the planning process for the project, and not the adequacy, accuracy, or completeness of the environmental document. This comment is forwarded to the decision makers for their consideration.

- 126-4: The commenter states that the proposed sound wall that would protect the project from railroad noise would increase the noise in the existing neighborhood.

Because elevation of the railroad embankment is higher than either the top of the proposed residences or 16-foot tall noise barrier, which may be constructed as part of this project, the proposed residences and noise barriers would not be visible from existing residences located on the south side of the railroad embankment. In addition, because the angle of sound reflection off a smooth barrier is equal to the angle of incidence, and because the railroad tracks are elevated above those residences and

barriers, any railroad noise reflected off of the proposed residences or noise barriers will be directed downward into the railroad embankment. As a result, no impact is identified for reflected railroad noise into the existing community to the south.

- 126-5: The commenter offers his opinion regarding the negative implications of placing new homes near railroad tracks.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 126-6: The commenter offers his opinion that the main thoroughfare from the project should be next to the railroad tracks to avoid several of the issues he raised in his previous comments, including traffic flow, noise and vibration, and the Elvas Avenue/16th Street connection.

See Sections 4.6 and 4.9 of the Draft EIR regarding traffic, noise, and vibration impacts. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 127

Dear Ms. Allen,

January 10, 2014

Thank you for getting back to me about the procedure for submitting comments on the McKinley Village DEIR. I appreciate the opportunity to share my views.

Overall, I believe the McKinley Village (McV) project would be a disaster for Sacramento. I also believe the project DEIR is a whitewash basically designed to facilitate the advent of that disaster.

127-1

Before discussing my own objections to McV, I want to point out that Dave Edwards, Land Use Chair for East Sacramento Preservation (a neighborhood association) has prepared a multi-page summary of comments on the DEIR. I heartily endorse Mr. Edward's comments, and I firmly believe city staff should read, ponder, and fully answer each of his concerns.

127-2

First and foremost on my own list of concerns is traffic. To get residents out of the McV bowl, developers will blast a tunnel through the secondary levee at C Street between 40th St. and Tivoli. The exit of these McV drivers would unleash a ruinous influx of traffic on the quiet, fragile neighborhood that comprises East Sacramento. Car exhaust will pollute the air, and the vehicles themselves imperil pedestrians. The very fabric of the neighborhood will be eroded. Home values will decrease. No one wants to live on a busy street.

127-3

My second concern (even in the current water crisis) is the inevitable risk of flooding that will be present once holes are punched in the railroad berm. I question the wisdom of making two (planned) holes in a structure that is doing a nice job of protecting us.

127-4

Finally, I believe there are much better uses for the McV land. What about a plant nursery, a museum, a vocational school, veterans' hospital, commercial solar energy system??

127-5

East Sacramento is a classic neighborhood. It charms residents and visitors alike. It adds great value to the city.
WHY WOULD WE CHOSE TO DESTROY SUCH A BEAUTIFUL ASSET?

127-6

Sincerely
Janet Maira

Letter 127: Janet Maira, January 10, 2014

- 127-1: The commenter expresses her opposition for the project and disregard for the Draft EIR prepared for the project.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 127-2: The commenter endorses the comments submitted by Dave Edwards and suggests that City staff consider his concerns.

Please see Letter 98 from Dave Edwards. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 127-3: The commenter states that traffic is her greatest concern; specifically the project traffic that would drive through the East Sacramento neighborhood, causing air pollution and endangering pedestrians.

Please see Master Response 10 that addresses neighborhood livability in terms of traffic. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

- 127-4: The commenter expresses her concerns related to the risk of flooding due to tunneling through the railroad berm.

Please refer to Section 4.5 of the Draft EIR for the discussion of potential impacts related to flooding and Response to Comment 128-4. Commenter's assertions are based upon speculation and are not supported by substantial evidence. Substantial evidence includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, Section 21080, subd. (e)(1).) Substantial evidence does not include mere "[a]rgument, speculation, unsubstantiated opinion or narrative," or evidence that is "clearly inaccurate or erroneous." (Guidelines, Section 15384, subd. (a).)

127-5: The commenter offers her opinion that there are better uses for the project site and provides several ideas for alternative uses.

Please refer to Chapter 5 of the Draft EIR, Project Alternatives, for a discussion of the alternatives considered for the proposed project and Response to Comment 26-9. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

127-6: The commenter offers her opinion of the value of the East Sacramento neighborhood and questions the reasoning for destroying such a valuable asset.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

Comment Letter 128

From: LINDA CARPENTER [<mailto:lbc52@sbcglobal.net>]
Sent: Friday, January 10, 2014 2:30 PM
To: Dana Allen
Cc: Evan Compton; Steve Cohn
Subject: McKinley Village proposal comment

The McKinley Park area is one of Sacramento's loveliest neighborhoods. We have lived here since 1981 and raised our family here. We support infill development and have witnessed proposals beginning with Centrage in the late 80's and culminating with the current McKinley Village project. Our concerns revolve around the impact of additional traffic on our quiet neighborhood streets.

According to the McKinley Village EIR Report and the staff report issued for the Oct. 24, 2013 meeting;

*The 40th Street access route into the development will result in traffic congestion not only on the C St./Elvas route, but throughout our neighborhoods as commuters try to avoid the busiest streets. Westbound traffic will certainly use 39th, 35th, and 33rd streets to reach McKinley Blvd in addition to 40th St. and Alhambra Blvd. 128-1

*Two intersections close to the 40th St. access; 40th St/36th Way and San Antonio/36th Way, are not stop controlled (EIR 4.9-10). Two others; Meister Way/36th Way and Tivoli Way/36th Way are two-way stop controlled, which will result in commute time traffic back-ups as cars flood out to access McKinley Blvd. 128-2

* McKinley Village developers stress the importance of alternative transportation options, and yet just west of Lanatt St. (close to the 40th St. development access route) the two lanes of east-bound C St. widen to four lanes for about 2,000 ft. and for that distance the bicycle lanes end. (EIR 4.9-9, refer also to Figure 4.9-4/Existing Bicycle Facilities, which indicates an intact bike path) 128-3

*Also, the bike/pedestrian undercrossing at the north end of Alhambra Blvd. will be constructed only if approved by UPRR (EIR 4.9-3). If it is not approved, access to public transit and bike lanes will be seriously reduced, resulting in a more car-centric development. This railroad levee also provides secondary flood protection to our neighborhood. 128-4

*Developers indicate easy access to Hwy. 50 via Elvas Ave and 65th St. The transportation and circulation portion of the EIR did not analyze this route. Morning traffic is particularly heavy along Elvas Ave. as St. Francis High School uses it as their main entrance and exit. 128-5

Thank you for considering our concerns;

David Carpenter
Linda Carpenter

Letter 128: Linda Carpenter, January 10, 2014

- 128-1: The commenter states that the 40th Street access into the development will result in traffic congestion on several neighborhood streets, including C Street/Elvas and 39th, 35th, and 33rd streets.

As shown in the trip distribution estimates contained on Figures 4.9-7 and 4.9-8 (DEIR, pp. 4.9-41, 4.9- 43) and incorporated into the traffic analysis, trips generated by the proposed project are anticipated to utilize multiple local streets in the vicinity of the 40th Street access location in addition to C Street and Elvas Avenue. These streets include 39th Street, 35th Street, 33rd Street, 40th Street, and Alhambra Boulevard as noted by the commenter.

Project-generated traffic is fully accounted for in all calculations included as part of the Existing Plus Project and Cumulative Plus Project analyses. Please refer to Draft EIR pages 4.9-38 through 4.9-62 for the analyses pertaining to the Existing Plus Project scenario, which layers project-generated traffic on top of existing traffic levels within the study area. Please refer to Draft EIR pages 4.9-73 through 4.9-92 for the analyses pertaining to the Cumulative Plus Project scenario, which evaluates the cumulative effects of the proposed project in addition to other planned infrastructure projects and land development projects in the area.

- 128-2: The commenter notes that the 40th Street/36th Way and San Antonio Way/36th Way intersections are not stop controlled, and that the Meister Way/36th Way and Tivoli Way/36th Way intersections feature side-street stop control, as documented in the Draft EIR. The commenter then goes on to state that the two side-street stop controlled intersection “will result in commute time traffic back-ups as cars flood out to access McKinley Boulevard.”

The Meister Way/36th Way and Tivoli Way/36th Way intersections were included as study facilities in Section 4.9 of the Draft EIR. The Draft EIR found that the addition of project traffic would not result in any changes to level of service at these two locations under either Existing Plus Project conditions or under Cumulative Plus Project conditions. Please refer to Table 4.9-10 and Table 4.9-20 of the Draft EIR.

Additionally, as noted on page 4.9-94 of the Draft EIR, since the proposed project would add traffic to the 40th Street/36th Way and San Antonio Way/36th Way intersections that do not currently conform to standard engineering design practice, it is recommended that stop controls be installed consistent with City of Sacramento design standards at these locations.

Please see also Master Response 10 that addresses neighborhood livability in terms of traffic.

- 128-3: The commenter states that although the project developers note the importance of alternative transportation options, the project calls for the widening of eastbound C Street and the removal of bicycle lanes in this area.

The commenter's concerns focus upon an existing issue that is unrelated to the implementation of the proposed project. The new 40th Street/C Street Project Access intersection included as part of the proposed project will feature Class II on-street bicycle lanes in both directions on C Street. No widening of C Street is necessary to accommodate the existing bike lanes and bike lanes on C Street would remain. Extension of these bicycle lanes further to the east on Elvas Avenue is not within the scope of the proposed project. This comment will be forwarded to Department of Public Works for their consideration.

- 128-4: The commenter states that if the bike/pedestrian undercrossing at the north end of Alhambra Boulevard is not constructed, access to transit and bike lanes will be limited. The commenter also states that the railroad levee provides secondary flood protection for her neighborhood.

As explained in the Draft EIR, the project is not located within a 100-year flood zone and is protected from the 100-year flood by a system of levees; therefore issues associated with construction within a 100-year flood zone were not required to be addressed. (DEIR, p. 4.5-30.) The Draft EIR also explains that flooding due to dam or levee failure was discussed under Impacts 4.5-4 and 4.5-5 in the Draft EIR. (Ibid., citing discussion on pp. 4.5-41 to 4.5-46.) Please see Master Response 1 that addresses the feasibility of a bridge/roadway underpass at Alhambra.

- 128-5: The commenter states that the developers indicate easy access to Highway 50 from Elvas Avenue and 65th Street; however this route was not analyzed in the EIR.

Section 4.9 of the Draft EIR includes analysis of three intersections and three roadway segments located on Elvas Avenue east of the proposed project access location. These six facilities are on the route discussed by the commenter. Please refer to Draft EIR pages 4.9-38 through 4.9-62 for the analyses pertaining to these facilities under Existing Plus Project scenario, and pages 4.9-73 through 4.9-92 for the analyses pertaining to the Cumulative Plus Project scenario. As shown, implementation of the proposed project would not result in significant impacts to any of these facilities per the City's impact significance criteria.



December 30, 2013

McKinley Village DEIR

To the Sacramento City Planning and Design Commission,

I am writing in regard to the findings of Noise and Vibration listed in the DEIR, Summary of Impacts and Mitigation Measures.

According to CalTrans, (Cal-OSHA) regulations, A PG & E study, and Mark Stephenson, senior research audiologist at the National Institute for Occupational Safety and Health (NIOSH), freeways have decibel levels up to 85 dBA. The published noise level for a freight train at 15 meters (49 feet) is 89 decibels. OSHA requires employers to have a hearing conservation program in place if workers are exposed to a time-weighted average noise level of 85 decibels (dBA) or higher over an 8-hour work shift. The dBA does not include other hazardous noise exists in the way of highway drone, interior sound resonance and window/building vibration.

129-1

The DEIR for McKinley Village, Summary of Impacts and Mitigation Measures for Sections 4.6.4, 4.6.5 and 4.6-6, lists Environmental Impacts of noise from the UPRR tracks and Capital City Freeway that could result in interior noise levels at the McKinley Village project that exceed the City's 45 dBA Ldn standard and the proposed project could expose on-site residential areas to vibration greater than 0.5 inch per second due to adjacent highway traffic and rail operations which have *Potentially Significant Impacts*. The DEIR should have the word will instead of could.

129-2

To render the Noise and vibrations Less than significant, the following mitigation measure is listed in the Summary of impacts and Mitigation Measures as follows:

Disclosure statements shall be provided to all prospective residences, as well as recorded against the land, notifying of the presence of the UPRR tracks and hi way and the accompanying elevated noise environment associated with the existing and projected increased future rail activity and increased traffic on Capital City Freeway and that vibration may be periodically perceptible during train passbys in order to make or maintain the impact "Less than Significant"

129-3

I am licensed by the California Department of Real Estate and have studied and passed a test for licensure which includes California real estate law.

Under California Real Estate Law, disclosures are required by the seller and their agents under a duty to disclose facts materially affecting the *value or desirability* of the property to avoid buyer liability. This would include a hazard of noise and vibration.

129-4

The legal Disclosure requirement is for the purpose of informing the buyer of these hazardous conditions so that the buyer has no basis to sue the seller or their agents for damages or resend the contract to purchase the home.

The definition of mitigation is to lessen or eradicate.

Disclosures are a legal notice. They inform parties of value and desirability issues, they would not lessen or eradicate noise or vibration. Disclosures would not be a remedy or render anything less than significant. Disclosures are not mitigation.

I not only challenge issuance of disclosures as mitigation, I question the other DEIR mitigation measures listed in the DEIR which are supposed to lessen or eradicate the high freeway dBA of 85 and the rail road track dBA of 89 noise and vibration to a safe level.

The Summary of impacts and Mitigation lists mitigation remedies for the freeway and train noise and vibration stated above and as follows:

Install windows with a minimum Sound Transmission Class (STC) rating of 35 with all other windows (bedroom or otherwise) from which the trains would NOT be visible to a STC rating of at least 30.

The table below indicates that an STC of 35 for windows will only make loud speech audible but not intelligible. It lists 60+ as the STC for superior soundproofing; most sounds inaudible

STC	What can be heard
25	Normal speech can be understood quite easily and distinctly through wall
30	Loud speech can be understood fairly well, normal speech heard but not understood
35	Loud speech audible but not intelligible
40	Onset of "privacy"
42	Loud speech audible as a murmur
45	Loud speech not audible; 90% of statistical population not annoyed
50	Very loud sounds such as musical instruments or a stereo can be faintly heard.
60+	Superior soundproofing; most sounds inaudible

The Summary of impacts and Mitigation Measures also lists the mitigation measure as follows:

Install solid core exterior doors facing the railroad tracks with a minimum rated STC value of 35 and framing exterior walls facing the railroad tracks with 2- x 6-inch studs with insulation completely filling the stud cavity, stucco exterior, and two layers of 5/8-inch thick gypsum board on the interior surfaces to decrease noise and vibration.

What will the weight of installation be? I am told an extra 1/8" thickness in drywall/gypsum board is not significant to mitigate noise and vibration from the freeway and trains since the whole building and all windows will vibrate. All exterior walls and windows will need more sound and vibration proofing than the DEIR lists for safety.

129-5

129-6

129-7

129-8

A 2x4 stud, 5/8" gyp (2 layers total) with Batt insulation has an estimated STC of 34 – 39, again, The table above indicates 50- 60+ is required for superior soundproofing.

129-9

Based upon information from my CAL TRANS consultation, construction mitigation will need to be increased, especially since the development's homes will be used as the sound wall.

Other questions I do not see addressed in the DEIR are:

How will the above mitigations be implemented at the developer's reported quote of \$70.00 per square foot?

129-10

How does this mitigation remedy long periods of activity outside the homes?

Why doesn't the DEIR include the inherent basin affect that will be augmented when the buildings outline the PUD?

129-11

With a verified visual count of 55 train trips a day passing the propose McKinley Village. The DEIR dismisses and does not adequately address both the combined dBA noise pollution, exhaust, and from both freeway and train sources.

Excessive traffic noise is the most common complaints among American residents, proven to be adverse to public health, impacts more people than *any other environmental noise source* and can affect the ability to work, learn, rest, relax, sleep and lead to mental and physical health problems.

129-12

Secondhand noise is increasingly used to describe noise that is experienced by people *who did not produce it*. Anti-noise activists say its effect on people is similar to that of secondhand smoke. "*Secondhand noise is really a civil rights issue*"

While building on the Elvas Freeway parcel will be highly profitable, it is not an appropriate site for residential dwelling.

129-13

Why doesn't the Planning Commission and City Council choose health over profit?

Regards,
 Sidney Norris
 REAL ESTATE SOURCE INC
 Licensed in CA, #01851877
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 Cell: 916.628.0034



January 4, 2014

Response to: MCKINLEY VILLAGE INTRODUCTION AND SCOPE OF THE EIR
FREEWAY AND RAIL ROAD EXPANSION PROJECTS

According to CEQA Guidelines Section 15813, CalTrans has authority in approving/permitting projects for which a lead agency, is preparing an EIR or Initial Study/Negative Declaration CalTrans grants encroachment permits for any work within or adjacent to a state roadway.

129-14

McKinley Village is in danger of obstructing several of our region's future highway and rail system improvement projects, particularly the pending freeway 80 expansion past E street at The McKinley Village edge and the expected rail road track expansion.

129-15

The DEIR claims that CalTrans can expand the freeway for the pending freeway lane expansion at the edge of McKinley Village by one lane going east completely within its existing row. That they will shrink each of the existing lanes by one foot and then can fit a fourth 11' wide lane to the south as mitigation for eminent domain issues.

129-16

I communicated with Caltrans who respectfully informed me that the City can not dictate highway designs to them.

I was told that the standard measurement for lanes is 12 feet and there needs to be a shoulder lane from 8 to 10 feet wide. Narrower lanes are usually only allowed in construction zones on a temporary basis and that when they work on an existing section of highway they are required to improve and update the existing roadway for safety. 11 foot lanes would be contradictory to motorist safety issues and not practical or within CalTrans policy standards.

129-17

I was also told that a solution to borrow footage from other lanes is *very* random since Caltrans will need to acquire some land on both sides to update and improve that section of highway correctly.

As a real estate agent I know that once the land for McKinley Village is rezoned approved or homes are built on needed land, the land value and cost of it go up and it becomes more costly to acquire the land needed to expand the freeway and rail road tracks.

129-18

It is reckless to approve the project before negotiating a lower price for the land needed for these projects and ascertaining what the impact of bringing the freeway and track closer to homes will be. The noise, pollution and safety issues will increase for the PUD and change the significance.

I am requesting a preliminary design from the Planning Commission for the highway improvement and CalTrans should submit a study for McKinley Village and the freeway and rail road expansion projects.

129-19

Sidney Norris,
Sidneycre8it@gmail.com
916-628-0034



To the Sacramento City Planning and Design Commission,

Re: McKinley Village proposed development

The Elvas Freeway Parcel is not a suitable site to build a residential development, based upon health findings that freeways are a public health hazard.

129-20

There are thousands of studies that confirm the health threat of freeway pollution.

In fact according to The National Autism Association, contributing environmental factors found that children born to mothers who live within 1000 feet of freeways have **twice the risk of autism**. (*McKinley Village is at the Capital City freeway edge*).

In addition, the Utah Physicians for a Healthy Environment organization compiled a sample of studies that report the following findings:

- Children who live within 500 meters (less than a half mile) of a major highway are not only more likely to develop **asthma** and other **respiratory diseases**, but their **lung development** may also be **stunted permanently**.
- Pregnant mothers exposed to more air pollution, give birth to children with **lower intelligence**, and **behavioral** and **attention deficit disorders**, *even if the children breathe clean air themselves*.
- Pregnant women who lived close to high-traffic roadways during pregnancy were more likely to **give birth prematurely** or have a **low-weight baby**, putting the **child at risk for multiple**, life long chronic diseases.
- Pregnant mothers breathing higher rates of air pollution give birth to children who have higher rates of **several types of rare childhood cancers**.
- Living *within* 100 meters (about 100 yards) of a freeway **increases the risk of childhood leukemia 370%**, living within 300 meters (less than a quarter mile) meters increases the risk 100%.
- Women exposed to more traffic-related air pollution have **higher rates of breast cancer** and **decreased survival** if they get breast cancer with a correlated increase of about **125%**, living near a freeway increases that much more.
- For people who live near a freeway, the concentration of freeway generated pollution inside their homes is about 70% as high as outdoor air along the freeway corridor. For an average home, the indoor air exchanges completely with outdoor air every two hours. People living near a freeway are unquestionably breathing more pollution.

129-21

Sacramento currently has residential homes within close proximity to freeways. However, it is impossible to rectify those past mistakes and reverse current developments existing near freeways, their existence is not an excuse to follow suit and make new injurious mistakes by approving developments on freeways.

129-22

Current planning policies decisions should be based upon current knowledge and circumstances to avoid new detrimental choices that adversely affect our population.

129-23

Given definitive findings linking traffic exhaust with cancer, and with the knowledge provided by Doctors and Scientist above correlating freeway exposure to autism and other terminal conditions and diseases for mothers, children and fetus, it is the moral obligation and responsibility of the Planning Commission to protect people and advise the Sacramento City Council against *any* residential development on the Elvas Freeway Parcel, proposed site of McKinley Village.

129-24

When the McKinley Village project goes to vote, the citizens and voters of Sacramento will take note of which Sacramento City Council Members decline the residential rezone and McKinley Village development on the health hazardous parcel at the edge of the Capital City Freeway and which Council Members put economics and politics before the health and lives of our babies, children, mothers and residents.

Regards,
Sidney Norris
Sidneycre8it@gmail.com
916-628-0034



To the Sacramento City Planning and Design Commission,

Re: McKinley Village proposed development

I am writing in regard to the City of Sacramento’s objective for the proposed McKinley Village Project as stated below:

"In addition to the applicant's goals above, the City has developed the following objective for the proposed project: Enhance the City's supply of housing that provides a range of housing opportunities available to residents from a wide range of economic levels."

As a real estate agent I have access to “up to date” statistics for the Sacramento City real estate market, specifically the Housing Affordability Index (HAI), which is the most fundamental measure of housing well-being for buyers in the state and measures the percentage of households that can afford to purchase the median priced home.

The Housing Affordability Index I have on page 2 is for Sacramento in the 3rd Quarter of 2013 and indicates the Median Home Price for Sacramento is \$255,900 which is approximately \$100,000 less than the McKinley Village project’s last advertised starting price of \$350,000.00.

The median monthly home payment in Sacramento is \$ 1,310 a month for a \$350,000.00 home; the payment will be approximately \$1,730 to \$1,800. A McKinley Village home payment, without monthly dues is \$400 over the median.

No one is taking into account that required monthly payments required for home owner association dues will affect buyer qualification. In my professional experience in community management, the dues will need to be in the \$400 to \$500 a month range to provide for high Master Insurance as a result of public access and dangerous breed dogs combined with costs for ongoing general and infrastructure maintenance for the rec area, management, electricity, gardening, retention ponds, pumps and a host of other costs.

In lending, a person making the median household income of \$52,580 on the HAI below can currently afford to buy a house priced for \$209,035 at 4.272% carrying \$250 a month debt. Well below the McKinley Village prices. When the monthly dues are included by \$500 a month, the same buyer can only qualify for a home priced at \$174,391. I am curious to see what the condominiums prices will be.

Based on statistics, the proposed McKinley Village, especially as a Planned Unit Development, provides less opportunity than a non PUD and does not provide opportunities for a wide range of economic levels to purchase.

Regards,
 Sidney Norris
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129-25



2013 Q3 HAI

Traditional Housing Affordability Index				
Region	Housing Affordability Index	Median Home Price	Monthly Payment Including Taxes & Insurance	Minimum Qualifying Income
Sacramento	50	\$ 255,900	\$ 1,310	\$ 52,580

Letter 129: Sidney Norris, December 30, 2013

- 129-1: Commenter cites sources for noise levels and states Cal OSHA requirements for employers.

The commenter is correct that noise from freeways can reach 85 decibels, and that employers are required to implement hearing conservation programs where occupational noise exposure reaches a time-weighted average of 85 decibels over an 8-hour work shift. Although the commenter does not provide a distance relative to the freeway at which levels of 85 dB could be expected, or an explanation of what the 85 dB level represents (i.e. average, maximum, median, etc.), the OSHA criteria for workplace noise exposure are not applicable to residential developments. In fact, the noise standards applied to residential developments by the City of Sacramento provide considerably more protection against excessive noise exposure than the OSHA requirements, as the City's standard is approximately 25 dB lower than the aforementioned OSHA threshold.

Appendix I of the Draft EIR provides the results of four days of continuous traffic noise monitoring conducted at three locations along the Capital City Freeway right-of-way. At the loudest of the three noise monitoring sites located adjacent to the freeway (Site #3), measured average noise levels were consistently below 80 dBA L_{eq} at the highway right-of-way (Appendix B-3), with measured maximum noise levels frequently exceeding 80 dBA L_{max} . By providing this information, the Draft EIR clearly recognizes and discloses that *existing* traffic noise levels are, in fact, elevated at positions close to the freeway. Without noise mitigation, prolonged exposure to such elevated noise levels would adversely affect residents of the development. However, when discussing the exposure of future residents of the McKinley Village project to traffic noise, the *mitigated* condition is considered. The Draft EIR presents traffic noise mitigation measures which would reduce traffic noise levels at outdoor activity areas and interior spaces of residences closest to the freeway to acceptable levels as defined by the City of Sacramento. As stated previously, the City's noise standards offer considerably more protection against excessive noise exposure than the OSHA requirements. By mitigating to those more restrictive City noise standards, traffic noise impacts have been fully mitigated.

The commenter's statement that "the dBA does not include other hazardous noise exists in the way of highway drone, interior sound resonance and window/building vibration" is unclear and not supported with evidence. The Draft EIR evaluated both exterior and interior noise environments at future residences of the development, and concluded that all noise impacts could be mitigated to a level of insignificance.

129-2: Commenter cites the Draft EIR regarding interior noise and vibration levels. Commenter further suggests that the Draft EIR should adjust language regarding these impacts.

The Draft EIR clearly states on pages 4.6-41 through 4.6-60 that, without mitigation or project design features, traffic and railroad noise impacts would occur. However, with the proposed project design features and required mitigation measures, all project noise impacts would be mitigated to a level of insignificance. With respect to vibration impacts, no development is proposed within areas which would be exposed to vibration levels in excess of the thresholds of significance for vibration. As a result, no additional vibration mitigation is required.

129-3: Commenter cites Mitigation Measures 4.6-5(f) and 4.6-6 in the Draft EIR regarding disclosure statements required for residences adjacent to the UPRR tracks.

Disclosure laws that apply to the selling of real estate do not apply to CEQA documents. Therefore, the presence of the freeway and the UPRR tracks will be required to be disclosed during the sale of any homes. It is understood that issuing of disclosure statements would not reduce noise exposure, but that is not the intent of this measure. Other measures, such as improved building construction and shielding by barriers and structures would reduce traffic and railroad noise exposure to acceptable levels. The intent of the disclosure statements is simply to make prospective residents of the development aware of the presence of the traffic and railroad noise sources so they may make informed decisions regarding living in this community. In so doing, this measure essentially mitigates the possibility of future residents of the development stating they were unaware of the presence of traffic and railroad noise sources in the immediate project vicinity. Such statements are routinely utilized in residential developments to provide protection to the home builder, the resident, and the City or County in which the development occurs.

129-4: Commenter states that California Real Estate Law requires disclosure of facts affecting value or desirability to avoid liability, which would include disclosure of noise and vibration.

Please see Response to Comment 129-3, above

129-5: Commenter states that disclosures are for information purposes. Commenter goes on to state the definition of mitigation as “to lessen or eradicate” and states that since disclosures do not lessen or eradicate, they do not constitute mitigation.

Please see Response to Comment 129-3, above

129-6: Commenter disagrees with the use of disclosures as mitigation and questions other mitigation measures regarding noise and vibration.

Please see Response to Comment 129-3, above

129-7: Commenter cites information on the Sound Transmission Class (STC) rating and cites to Mitigation Measure 4.6-5 contained in Draft EIR in regards to windows and building materials.

While it is true that higher Sound Transmission Class (STC) ratings result in greater acoustical isolation, the analysis of noise mitigation measures for this project focused on recommendations for achieving *compliance* with City of Sacramento noise standards and reducing the potential for sleep disturbance. The Draft EIR noise mitigation measures were not intended to render noise generated by traffic or railroad passages *inaudible*. Instead, the noise mitigation measures cited below, which are based on analysis of specific traffic and railroad noise exposure at the building facades of the residences proposed within the project site, were developed to achieve interior traffic and railroad noise levels of 45 dB L_{dn} or less, and single-event noise associated with railroad passages to 65 dB SEL or less. Mitigation Measure 4.6-4 on page 4.6-51 specifically requires the following:

- All windows visible to trains shall have a minimum Sound Transmission Class (STC) Rating of 35. All other windows (bedroom or otherwise) from which the trains would NOT be visible shall have a STC rating of at least 30.
- Exterior doors facing the railroad tracks shall be solid core with a minimum rated STC value of 35.
- Exterior wall construction for the walls facing the railroad tracks shall consist of 2- x 6-inch studs with insulation completely filling the stud cavity, stucco exterior, and two layers of 5/8-inch thick gypsum board on the interior surfaces.
- Mechanical ventilation shall be provided to allow occupants to close doors and windows as desired to achieve acoustical isolation as desired.
- Roof materials shall be concrete tile or heavy-duty shingles such as the CertainTeed Presidential Series (or acoustic equivalent).

Compliance with these measures would ensure that railroad noise impacts within residences of this development located nearest to the railroad tracks are less than significant.

129-8: Commenter asks what the weight of the installation will be and indicates that an extra 1/8-inch thickness in drywall is not significant to mitigate noise and vibration from the

freeway and trains since the entire building will vibrate and states all exterior walls and windows will need more sound and vibration proofing.

Please see Response to Comment 129-7 regarding the specific construction materials required for the project. The commenter does not cite the technical reference for the information asserted in this comment regarding the effectiveness of increasing the thickness of drywall/gypsum board, so the source cannot be verified independently. However, it is a fundamental acoustical principal that increased mass results in increased sound insulation. As a result, increasing the thickness of exterior wall components would result in improved acoustic isolation. As noted in Response to Comment 129-7, the recommended improvements in building construction would be adequate to achieve compliance with the project thresholds of significance, and no additional "sound and vibration proofing" would be required of this project.

- 129-9: Commenter suggests that that the building materials specified in Mitigation Measure 4.6-4 are not adequate for soundproofing and should be built to higher Sound Transmission Class standards especially since the homes themselves will act as a sound wall.

Interior walls of residential structures typically consist of 2x4 studs with single layers of 5/8-inch gypsum board on each side of the studs, and that such assemblies provide an STC rating of approximately 33 (Egan, *Architectural Acoustics*, 2007, p.204, assembly 7). However, the noise reduction provided by *exterior* wall construction is different. For example, the STC rating of an *exterior* wall with stucco siding is approximately 59 (ibid, assembly 28). Draft EIR Noise Mitigation Measure 4.6-4 specifically pertains to exterior wall construction. It is these exterior walls which will provide the required acoustic isolation to the interior of the residence, as well as serve as suitable noise barriers.

- 129-10: Commenter asks how mitigation measures will be implemented, how mitigation will remedy outside exposure for future residents, and a "basin affect" onsite.

The City is required to prepare a Mitigation Monitoring and Reporting Program (MMRP) that identifies each mitigation measure and the party responsible for implementing the specific measure. The project applicant is required by the City to show proof the measure has been completed in order to receive various permits required prior to or during project construction.

Regarding the mitigation remedying long periods of activity outside the homes, the commenter is advised that the duration of the noise-generating activities was factored into the calculations of noise exposure at outdoor activity areas as well as interior spaces of the residences proposed within the development. The noise metric used for

the assessment of noise impacts at outdoor activity areas, the Day/Night Average Level (Ldn), is the weighted average of all traffic and railroad noise impacting outdoor spaces of the development over a 24-hour period. The methodology used to predict L_{dn} values at noise-sensitive areas of the development is provided in detail in Section 4.6.4 (Methods of Analysis) in the Draft EIR.

It is not clear what the commenter is referring to regarding the “inherent basin affect that will be augmented when the buildings outline the PUD.” Therefore, no further response required.

- 129-11: Commenter asserts that the Draft EIR misstates data regarding levels of noise and air emissions from combined train and auto traffic.

Regarding combined traffic and railroad noise exposure, the commenter is referred to Impact 14 on page 46 of Draft EIR Appendix I “Impacts of Combined Future (Cumulative) Traffic and Railroad Noise Exposure”. In this analysis, future traffic and railroad noise exposure was combined at the worst-case residences in the development (northeast corner), and it was concluded that project design and noise mitigation measures would be adequate to fully mitigate the potential noise impacts associated with combined traffic and railroad noise exposure.

Please see Response to Comment 31-43 in regards to the evaluation of air emissions associated with trains and Response to Comment 31-55 regarding the assumptions the Draft EIR relied on for assessing noise impacts associated with trains.

- 129-12: Commenter opines about noise and its impact on people.

There is ample evidence to indicate that exposure of persons to excessive noise levels can be adverse to public health, affecting ability to work, learn, sleep, etc. The Draft EIR recognizes that the existing, unmitigated, noise environment at the project site is elevated. However, with project design features and required noise mitigation measures, the interior and exterior noise environments of persons residing in the project would be considered consistent with the City of Sacramento’s noise standards.

The commenter’s opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 129-13: Commenter states its opinion that the project site is not appropriate for residential development.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 129-14: Commenter cites CEQA Guidelines Section 15813 regarding Caltrans' authority in granting encroachment permits.

The CEQA Guidelines does not include Section 15813, the commenter may be referring to Section 15096 of the CEQA Guidelines that sets forth the process for a responsible agency.

The Draft EIR page 2-66 provides background on the role of trustee and responsible agencies and is reprinted below for clarification. Caltrans is listed as a responsible agency on page 2-66 and it is noted that Caltrans grants encroachment permits for any work within or adjacent to a state roadway or within a Caltrans ROW.

Responsible and permitting agencies are state and local public agencies, other than the lead agency, that have some authority to carry out or approve a project or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an EIR or Initial Study/Negative Declaration. A list of responsible and/or permitting agencies is included below. However, this list is not exhaustive and could include other agencies. This Draft EIR has been designed to provide information to these agencies to assist them in the permitting processes for the proposed project. While CEQA is not binding on federal agencies, and no federal agencies have been identified that would be required to take action on the project, any such agency may use the analysis in this document in order to assist with the preparation of their own analyses required by federal law.

- 129-15: Commenter states the opinion that the project will obstruct future roadway projects, particularly widening of Capital City Freeway as well as the addition of another rail line.

The projects the commenter is referring to are described on page 2-63 of the Draft EIR. The project will not obstruct the Caltrans project to provide a transitional lane along eastbound Capital City Freeway within the existing Caltrans right-of-way, as described in the Draft EIR. In addition, the proposed project has been designed (including the two underpasses) to accommodate the addition of a new track as part of the Capitol Corridor Joint Powers Authority (CCJPA) project. Potential effects of these two projects on the proposed project have also been addressed in the Draft EIR. Please see also Response to Comment 1-9 in Letter 1 from Caltrans.

- 129-16: Commenter states the Draft EIR claims the Caltrans widening (transitional lane) project will require smaller lanes to accommodate the project.

As noted on page 2-63 of the Draft EIR, "Caltrans has indicated these improvements could be constructed within the next 7 to 10 years; therefore, the project has been designed to accommodate these improvements if constructed at a future date. Caltrans has indicated that these improvements could be accommodated within their existing ROW." All of these improvements are within the existing Caltrans ROW. Please see also Response to Comment 1-9.

- 129-17: Commenter states that the City cannot dictate highway design to Caltrans and that the lane widths noted in the Draft EIR are inconsistent with Caltrans policy.

Please see Response to Comment 129-16. The design of the freeway and its lane width is the responsibility of Caltrans. The City of Sacramento has been coordinating with Caltrans regarding any additional right-of-way needed for the future widening of Capital City Freeway. Please see Letter 1 from Caltrans for more information

- 129-18: Commenter states its opinion that land for any ROW expansion needs should be negotiated before any rezone that would inflate the value of land.

The commenter is correct. The value of the land will increase if it is entitled for development. However, the commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration. Please see also Response to Comment 1-9.

- 129-19: Commenter asks the City to provide a preliminary design of the Caltrans project and states that Caltrans should submit a study of the proposed freeway and rail expansion projects.

Please see Response to Comment 129-17, Caltrans did not ask for additional right-of-way to be dedicated from the proposed project. The City cannot provide preliminary plans for a proposed Caltrans project and cannot compel Caltrans or the Capitol Corridor Joint Powers Authority to provide preliminary design and engineering plans for widening the freeway and adding another track within the UPRR right-of-way for City review.

- 129-20: The commenter states its opinion that the project site is not a suitable site for a residential project based on findings that freeways are a health hazard.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration. Please see also Master Response 7 that addresses the health risk assessment prepared for the project.

- 129-21: The comment provides a summary of information pertaining to the health effects of locating residences near freeways.

The health effects associated with placing residences in close proximity to sources of toxic air contaminants was evaluated in the Health Risk Assessment given the guidance and tools currently available (DEIR, Appendix C). Please see also Master Response 7 and Responses to Comments 17-21 and 73-5.

- 129-22: The commenter indicates that homes are within close proximity to freeways within the City currently and recommends that the City not continue to make the same mistakes.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 129-23: The commenter states current planning decisions should be based on up-to-date information to avoid making decisions that adversely affect the residents of the City.

The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

- 129-24: The commenter is expressing its opinion that there is definitive literature that links vehicle exhaust with cancer and other health effects and it is the moral obligation of the Planning Commission to protect people and advise the City Council not support residential development on the project site.

Please see Master Response 7 regarding the health risk assessment and health effects of the project. The commenter's opinions do not raise issues regarding the physical effects on the environment and no further response is required. The comment is forwarded to the decision makers for their consideration.

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