

# LAND PARK COMMERCIAL CENTER PROJECT (P15-048) FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2015112025)



PREPARED FOR  
**CITY OF SACRAMENTO**

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**October 2016**







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Final Environmental Impact Report (SCH# 2015112025)**

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# **CHAPTER 1 INTRODUCTION**

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## **INTRODUCTION**

This Final Environmental Impact Report (EIR) contains the public and agency comments received during the public review period for the Land Park Commercial Center Project Draft EIR, and responses to each of those comments.

The EIR is an informational document intended to disclose to the City of Sacramento (City) and the public the environmental consequences of approving and implementing the Land Park Commercial Center Project (proposed project) or one of the alternatives to the project described in the Draft EIR. All written comments received during the public review period (August 1, 2016, through September 15, 2016) on the Draft EIR are addressed in this Final EIR.

The responses in the Final EIR clarify, correct, and/or amplify text in the Draft EIR, as appropriate. Also included are text changes made at the initiative of the Lead Agency (City of Sacramento). These changes (summarized in Chapter 2) do not alter the conclusions of the Draft EIR. This document has been prepared in accordance with the California Environmental Quality Act (CEQA; California Public Resources Code (PRC), Sections 21000–21177).

## **BACKGROUND**

In accordance with CEQA, the City released a Notice of Preparation (NOP) on November 12, 2015. The purpose of the NOP was to provide notification that an EIR for the project was being prepared and to solicit guidance on the scope and content of the document. Prior to release of the NOP, the project applicant attended meetings at the Land Park Community Association to hear concerns raised by the neighbors. The Draft EIR was circulated for public review and comment for a period of 45 days from August 1, 2016, through September 15, 2016.

The comments and responses that make up the Final EIR, in combination with the Draft EIR, as amended by the text changes, constitute the EIR that will be considered for certification by the decision makers of the City of Sacramento.

## **CEQA REQUIREMENTS**

Under CEQA, the Lead Agency must prepare and certify a Final Environmental Impact Report (Final EIR) prior to approving a proposed project. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that the Final EIR shall consist of:

- a) The Draft EIR or a revision of the Draft.
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary.

- c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- e) Any other information added by the Lead Agency.

The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the Lead Agency's response to such comments a minimum of 10-days before certifying the Final EIR.

## USE OF THE FINAL EIR

The Final EIR allows the public and the City an opportunity to review revisions to the Draft EIR and the Responses to Comments. The Final EIR serves as the environmental document to inform the City Council's consideration of the proposed project, either in whole or in part, or one of the alternatives to the project discussed in the Draft EIR.

As required by Section 15090 (a) (1)-(3) of the CEQA Guidelines, a Lead Agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

1. Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.



3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing the reasons supporting the action. The Statement of Overriding Considerations shall be supported by substantial evidence in the Lead Agency's administrative record. Here, however, because the proposed project would not result in significant and unavoidable impacts (assuming the City Council finds all proposed mitigation measures to be feasible), the City Council would not be required to adopt a Statement of Overriding Considerations if it approves the proposed project (See also Public Resources Code Section 21081).

The Findings of Fact are included in a separate document that will be considered for adoption by the City's decision makers at the time of project approval.

## **SUMMARY OF TEXT CHANGES**

Chapter 2 in this Final EIR, Text Changes to the Draft EIR, identifies all changes made to the document by section. These text changes provide additional clarity in response to comments received on the Draft EIR as well as provide revisions to the project made by the project applicant, but do not change the significance of the conclusions presented in the Draft EIR.

## **RESPONSES TO COMMENTS**

A list of public agencies and individuals commenting on the Draft EIR is provided in Chapter 3 in this Final EIR. A total of 25 comment letters were received and each letter and response is included in Chapter 3. Each response is numbered and presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the number of the comment letter appearing first, followed by the comment number. For example, comments in Letter 1 are numbered 1-1, 1-2, 1-3, and so on. Immediately following the letters are the responses, each with binomials that correspond to the bracketed comments. As the subject matter of one topic may overlap between letters, the reader must occasionally refer to one or more responses to review all the information on a given subject. To assist the reader, cross-references to other comments are provided. In addition, master responses have been prepared for the same issue or concern that was raised in multiple comments. The master responses precede the comment letters and, where applicable, the reader is referred back to the master response to address the issue raised in the comment.

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## CHAPTER 2 TEXT CHANGES TO THE DRAFT EIR

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### INTRODUCTION

This chapter presents minor corrections, additions, and revisions made to the Draft EIR initiated by the Lead Agency (City of Sacramento), reviewing agencies, the public, and/or consultants based on their review. New text is indicated in underline and text to be deleted is reflected by ~~strikethrough~~, unless otherwise noted in the introduction preceding the text change. Text changes are presented in the section and page order in which they appear in the Draft EIR.

The changes made to the Draft EIR represent minor clarifications/amplifications of the analysis contained in the Draft EIR based on on-going review by City staff and/or consultant or applicant review and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

Attached to this chapter are new or revised figures and additional material to supplement the Draft EIR and appendices.

#### Staff or Applicant Initiated Text Changes

The following documents are attached to the end of this chapter to augment information referenced in Chapter 3 of this FEIR.

- Figure 2-4, Revised Scheme A
- Figure 2-6, Revised Proposed Bicycle and Pedestrian Plan
- Figure 2-7, Revised Landscaping Plan

The following documents are included as appendices and can be found at the end of this Final EIR.

- Appendix B, Revised Climate Action Plan
- Appendix D, Revised Cultural Report

#### Executive Summary

Impact 4.2-7 was omitted from Table ES-1, Summary of Impacts and Mitigation Measures. Impact 4.2-7 is added to the Table ES-1 and is revised to read:

4.2 Air Quality			
4.2-6: The proposed project would not result in a cumulatively considerable net increase of any criteria	Less than Significant	None required	Less than Significant

4.2 Air Quality			
pollutant for which the project area is in non-attainment under an applicable federal or state ambient air quality standard (including the release of emissions that exceed quantitative thresholds for ozone precursors).			
<u>4.2-7: The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under an applicable federal or state ambient air quality standard (including the release of emissions that exceed quantitative thresholds for ozone precursors).</u>	<u>Less than Significant</u>	<u>None required</u>	<u>Less than Significant</u>

Mitigation Measure 4.4-4 on page ES-20 in Table ES-1 is incorrectly identified and needs to be corrected. The correct reference reads as follows:

4.4-4 Implement Mitigation Measures ~~4.4-1~~(a) and (b).

Impact 4.8-8 in Table ES-1, page ES-26, is an error. This impact is deleted and Impact 4.8-9 renumbered to 4.8-8. The new revisions read as follows:

<del>4.8-8: Existing residential and commercial areas could be exposed to vibration peak-particle velocities greater than 0.5-inch per second or vibration levels greater than 80 VdB due to project construction.</del>	<del>Less than Significant</del>	<del>None required</del>	<del>Less than Significant</del>
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4.8-89: The proposed project, in addition to cumulative development in the in South Land Park neighborhood, could increase traffic noise that exceeds the City's noise standards.	Less than Significant	None required	Less than Significant
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## Chapter 2, Project Description

Since publication of the Draft EIR, City staff and the project applicant have made minor changes to the project in response to City staff requests as well as input provided by the public. None of the changes alter any of the significance findings in the Draft EIR. A summary of the changes made to the project are listed below and also reflected in text revisions to Chapter 2, Project Description of the Draft EIR.

- Additional outdoor seating is included adjacent to the south side of Shops 4 and the north side of Shops 3 (shown in revised Figure 2-4).
- A more defined pedestrian/bike pathway is included adjacent to the west side of the project driveway off of Wentworth Avenue (shown in revised Figure 2-4).
- The revised site plan Figure 2-4, Revised Scheme A, revised Figure 2-6, Proposed Bicycle and Pedestrian Plan, and revised landscape plan Figure 2-7, Revised Landscaping Plan are attached to the end of this chapter.
- A back-up generator is required for the Raley's store. The generator would be located adjacent to the loading dock at the rear of the store. The text of the Draft EIR has been revised to address this change.
- The bicycle access in the northeast corner of the project site for southbound bicyclists on Freeport Boulevard shown in Figure 2-6 has been removed. The City has determined this access is not feasible and would be unsafe (shown on revised Figure 2-6).
- The historic Raley's neon sign will be incorporated into the project design at the location identified as "Pylon Sign" on the project site plan.

The first sentence under Project Location on page 2-1 is revised to read as follows:

The project site is located south of downtown Sacramento in the South Land Park neighborhood (see Figure 2-1, Regional Location)

Table 2-2 on page 2-13 includes an error in the total number of parking spaces. The correct number of spaces is 534. The number “1” should have been shown in superscript because it relates to the note included below the table. The text is revised to read as follows:

Proposed Parking	Spaces
Vehicles	534 <sup>1</sup>
<i>Bicycles</i>	
Short term	57
Long term (lockers)	15

The following information is added after the first paragraph on page 2-14. The text is revised to read as follows:

To provide power in the event of a power outage, one generator would be located near the Raley's loading dock. The generator would be designed with a "LEVEL 2" aluminum housing that provides protection from the elements and sound attenuation as well as a catalytic converter to reduce air emissions. The generator is required to run for 30 minutes once a month to ensure it is operating properly. The monthly test would occur between the hours of 10 a.m. to 5 p.m. Monday through Friday.

The following information is added under **Pedestrian and Bicycle Access** on page 2-16. The text is revised to read as follows:

Pedestrian access would be provided from a 6-foot-wide pedestrian and bike pathway along the west side of the driveway that accesses the project site from Wentworth Avenue. A sidewalk would connecting the project site to Wentworth Avenue and Freeport Boulevard and would provide pedestrian access through the parking lot to the Raley's store and Shops located in the western half of the project site. Sidewalks and pedestrian plazas would provide pedestrian access throughout the site. The project also includes new sidewalks along the project frontage along Freeport Boulevard and Wentworth Avenue consistent with City standards. Figure 2-6 illustrates the project's plan for pedestrian and bicycle access.

The first sentence and last sentence under **Conditions of Project Approval** on page 2-38 is revised as follows:

The City's Conditions of Project Approval require the project applicant to install a new traffic light at Freeport Boulevard and Meer Way and add a raised striped pedestrian crossing of Wentworth Avenue near the project's driveway off of Wentworth Avenue. This crossing would provide access to the future uses at the existing Raley's store site, as well as to the

sidewalk on the south side of Wentworth Avenue. A short median on Wentworth Avenue would also be constructed near the driveway to Bank of America. Traffic signal phasing at the intersection of Freeport Boulevard with Wentworth Avenue/Stacia Way would also be modified to improve pedestrian crossing of Freeport Boulevard. These are not mitigation measures and are not required to reduce any effects of traffic associated with the project. The project does not result in any traffic impacts that require mitigation, as detailed in Section 4.10, Transportation and Circulation.

The City is also requesting as a Condition of Project Approval that signs prohibiting idling more than 5 minutes be posted in the Raley's loading dock area.

The project applicant has voluntarily agreed to these conditions of approval as requested by the City.

### Chapter 3, Land Use and Planning

The third sentence in the first full paragraph on page 3-4 is revised to read:

The Plan Area is characterized by traditional neighborhoods, tree lined streets, parks, and local shops. Nine neighborhoods make up the Land Park Community Plan Area including: Upper Land Park, Land Park, South Land Park, Curtis Park, Sacramento City College, North City Farms, Carleton Tract, Little Pocket, Hollywood Park, and Mangan Park.

The second sentence in the second full paragraph on page 2-19 is revised to read:

The main anchor, Raley's, has been a member of the South Land Park neighborhood since the 1950s and has an established track record as a good neighbor. It is anticipated this relationship with the neighborhood would not change with the project. The other retail uses have not been identified yet, but the goal is to attract restaurant and retail uses that contribute positively to the neighborhood. As noted in Chapter 2, the project has been designed to ensure compatibility with the surrounding South Land Park, Land Park, and Hollywood Park neighborhoods.

The second sentence in the third full paragraph on page 2-19 is revised to read:

As noted above, the project has been designed to ensure compatibility with the surrounding South Land Park, Land Park, and Hollywood Park neighborhoods using materials that include composite siding, stucco, stone veneer, and brick veneer with a neutral tan, gold, brown, gray, red brick and natural stone color palette.

The second sentence in the first full paragraph on page 2-21 is revised to read:

To address these policies, the project includes an activity node that provides a mix of tenants and will be designed to ensure compatibility with the surrounding South Land Park, Land Park and Hollywood Park neighborhoods.

## Section 4.2, Air Quality

The following revisions have been made to update the County attainment status in Tables 4.2-1 and 4.2-2 on pages 4.2-6 and 4.2-7. The text is revised to read:

**Table 4.2-1  
NAAQS and Status  
Sacramento Valley Air Basin (Sacramento County)**

Pollutant	Averaging Time	Designation/Classification
Ozone (O <sub>3</sub> )	8 hours	Nonattainment/Severe-15
Nitrogen dioxide (NO <sub>2</sub> )	1 hour, annual arithmetic mean	Unclassifiable/Attainment
Carbon monoxide (CO) <sup>1</sup>	1 hour, 8 hours	Attainment/Maintenance (North) <del>Unclassifiable/Attainment</del> (South)
Sulfur dioxide (SO <sub>2</sub> )	24 hours, annual arithmetic mean	<del>Unclassifiable</del> <u>Attainment</u>
Respirable particulate matter (PM <sub>10</sub> )	24 hours	Attainment/Maintenance
Fine particulate matter (PM <sub>2.5</sub> )	24 hours, annual arithmetic mean 24 hours	Unclassifiable/Attainment (1997 NAAQS) Nonattainment/Moderate (2006 NAAQS)
Lead (Pb)	Rolling 3-month average	Unclassifiable/Attainment

**Source:** EPA 2015.

**Note:**

<sup>1</sup> The northern (urbanized) portion of Sacramento County, which includes the project site, is designated as Attainment/Maintenance, while the southern (rural) portion of the County is designated as Unclassifiable/Attainment.

**Table 4.2-2  
CAAQS and Status  
Sacramento Valley Air Basin (Sacramento County)**

Pollutant	Averaging Time	Designation/Classification
Ozone (O <sub>3</sub> )	1 hour, 8 hours	Nonattainment <sup>1</sup>
Nitrogen dioxide (NO <sub>2</sub> )	1 hour, Annual	Attainment
Carbon monoxide (CO)	1 hour, 8 hours	Attainment

**Table 4.2-2**  
**CAAQS and Status**  
**Sacramento Valley Air Basin (Sacramento County)**

<b>Pollutant</b>	<b>Averaging Time</b>	<b>Designation/Classification</b>
Sulfur dioxide (SO <sub>2</sub> )	1 hour, 24 hours	Attainment
Respirable particulate matter (PM <sub>10</sub> )	24 hours, annual arithmetic mean	Nonattainment
Fine particulate matter (PM <sub>2.5</sub> )	Annual arithmetic mean	<del>Attainment</del> <u>Nonattainment</u>
Lead (Pb)	30-day average	Attainment
Sulfates (SO <sub>4</sub> )	24 hours	Attainment
Hydrogen sulfide (H <sub>2</sub> S)	1 hour	Unclassified
Visibility-reducing particles	8 hours (10:00 a.m.–6:00 p.m.)	Unclassified

**Source:** CARB 2015a.

**Note:**

<sup>1</sup> CARB has not issued area classification based on the state 8-hour standard. The previous classification for the 1-hour O<sub>3</sub> standard was Serious.

The following revisions have been made to include annual PM<sub>10</sub> and PM<sub>2.5</sub> emissions and respective SMAQMD thresholds in Tables 4.2-5 and 4.2-6 on pages 4.2-23 through 4.2-25. The text is revised as follows:

**Table 4.2-5**  
**Estimated Maximum Daily and Annual Construction Emissions**

<b>Year</b>	<b>NO<sub>x</sub> (lbs/day)</b>	<b>PM<sub>10</sub> (lbs/day)</b>	<b>PM<sub>2.5</sub> (lbs/day)</b>
<u>Daily Emissions (lbs/day)</u>			
<i>Summer</i>			
2017	79.53	11.02	7.04
2018	31.61	3.38	2.15
<i>Winter</i>			
2017	80.43	11.02	7.04
2018	32.00	3.38	2.15
<b>Maximum Daily</b>	<b>80.43</b>	<b>11.02</b>	<b>7.04</b>
<i>Pollutant Threshold</i>	<i>85</i>	<i>80</i>	<i>82</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>
<u>Annual Emissions (tons/year)</u>			
<u>2017</u>	<u>3.66</u>	<u>0.38</u>	<u>0.24</u>

**Table 4.2-5**  
**Estimated Maximum Daily and Annual Construction Emissions**

<b>Year</b>	<b>NO<sub>x</sub> (lbs/day)</b>	<b>PM<sub>10</sub> (lbs/day)</b>	<b>PM<sub>2.5</sub> (lbs/day)</b>
<u>2018</u>	<u>1.99</u>	<u>0.20</u>	<u>0.13</u>
<b><u>Maximum Annual</u></b>	<b><u>3.66</u></b>	<b><u>0.38</u></b>	<b><u>0.24</u></b>
<i><u>Pollutant Threshold</u></i>	<i><u>NA</u></i>	<i><u>14.6</u></i>	<i><u>15</u></i>
<b><u>Threshold Exceeded?</u></b>	<b><u>NA</u></b>	<b><u>No</u></b>	<b><u>No</u></b>

**Source:** See Appendix B for detailed results.

**Notes:** These estimates reflect implementation of SMAQMD Basic Construction Emission Control Practices. SMAQMD has adopted construction thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.

lb/day = pounds per day; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

**Table 4.2-6**  
**Estimated Unmitigated Maximum Daily and Annual Operational Emissions**

<b>Source</b>	<b>ROG (lb/day)</b>	<b>NO<sub>x</sub> (lb/day)</b>	<b>PM<sub>10</sub> (lb/day)</b>	<b>PM<sub>2.5</sub> (lb/day)</b>
<i><u>Daily Emissions (lbs/day)</u></i>				
<i>Summer</i>				
Area	8.67	0.00	0.00	0.00
Energy	0.04	0.39	0.03	0.03
Mobile	19.40	27.99	23.25	6.48
<b>Total Summer</b>	<b>28.11</b>	<b>28.38</b>	<b>23.28</b>	<b>6.51</b>
<i>Winter</i>				
Area	8.67	0.00	0.00	0.00
Energy	0.04	0.39	0.03	0.03
Mobile	17.87	31.72	23.25	6.48
<b>Total Winter</b>	<b>26.58</b>	<b>32.11</b>	<b>23.28</b>	<b>6.51</b>
<b>Maximum Daily</b>	<b>28.11</b>	<b>32.11</b>	<b>23.28</b>	<b>6.51</b>
<i>Pollutant Threshold</i>	<i>65</i>	<i>65</i>	<i>80</i>	<i>82</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<i><u>Annual Emissions (tons/year)</u></i>				
<u>Area</u>	<u>1.58</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Energy</u>	<u>0.01</u>	<u>0.07</u>	<u>0.01</u>	<u>0.01</u>
<u>Mobile</u>	<u>3.09</u>	<u>5.47</u>	<u>4.09</u>	<u>1.14</u>
<b><u>Maximum Annual</u></b>	<b><u>4.68</u></b>	<b><u>5.54</u></b>	<b><u>4.10</u></b>	<b><u>1.15</u></b>
<i><u>Pollutant Threshold</u></i>	<i><u>NA</u></i>	<i><u>NA</u></i>	<i><u>14.6</u></i>	<i><u>15</u></i>
<b><u>Threshold Exceeded?</u></b>	<b><u>NA</u></b>	<b><u>NA</u></b>	<b><u>No</u></b>	<b><u>No</u></b>

**Source:** See Appendix B for detailed results.

**Note:** SMAQMD has adopted operational thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.

lb/day = pounds per day; ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter



The following information is included after Table 4.2-6 on page 4.2-25. The text is revised to read:

An emergency generator is proposed for the project to continue perishable food refrigeration during power outages. However, the generator would be required to go through the SMAQMD permitting process, which includes ensuring potential health risk to nearby sensitive receptors would be less than significant. The generator also includes a catalytic converter designed to minimize CO and NO<sub>x</sub> emissions.

The following revisions have been made to the third paragraph on page 4.2-28 and a new table, Table 4.2-7 included. The text is revised to read:

~~In regards to operations, the proposed project does not include stationary sources that would emit air pollutants or TACs, such as large boilers, one 67-horsepower emergency generators, or manufacturing facilities that would run for 30-minutes once per month. The generator would be either natural gas or liquid petroleum gas fueled and would include a catalytic converter to reduce emissions. Emissions are reported in Table 4.2-7. As depicted below, daily and annual emissions would be negligible and would result in a less-than-significant impact. Thus, the project would not result in emissions of TAC from such stationary sources.~~

**Table 4.2-7**  
**Estimated Maximum Daily and Annual Emergency Generator Testing Emissions<sup>1</sup>**

<b>Fuel Type Option</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<i>Daily Emissions (lbs/day)</i>				
<u>Natural Gas</u>	<u>0.00</u>	<u>0.01</u>	<u>0.00</u>	<u>0.00</u>
<u>Liquefied Petroleum Gas</u>	<u>0.00</u>	<u>0.01</u>	<u>0.00</u>	<u>0.00</u>
<b>Maximum Daily</b>	<b><u>0.00</u></b>	<b><u>0.01</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<i>Pollutant Threshold</i>	<u>65</u>	<u>65</u>	<u>80</u>	<u>82</u>
<b>Threshold Exceeded?</b>	<b><u>No</u></b>	<b><u>No</u></b>	<b><u>No</u></b>	<b><u>No</u></b>
<i>Annual Emissions (tons/year)</i>				
<u>Natural Gas</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Liquefied Petroleum Gas</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Maximum Annual</b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<i>Pollutant Threshold</i>	<u>NA</u>	<u>NA</u>	<u>14.6</u>	<u>15</u>
<b>Threshold Exceeded?</b>	<b><u>NA</u></b>	<b><u>NA</u></b>	<b><u>No</u></b>	<b><u>No</u></b>

**Source:** See Appendix B for detailed results.

**Notes:**

<sup>1</sup> ROG, NO<sub>x</sub>, CO emission factors based on catalytic converter treated genset from emission compliance letters provided by Nett Technologies (April 2015). Particulates were not provided in emission sheets and were thus calculated using factors derived from CalEEMod User's Guide, Appendix D, for 2016 generators >50 and <120 HP. Emissions of PM<sub>10</sub> and PM<sub>2.5</sub> were calculated by applying the CNG % reductions to the diesel emission factors provided in the CalEEMod User's Guide, Appendix D.

lb/day = pounds per day; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

## Section 4.4, Cultural Resources

The description on page 4.4-3 is revised to read as follows:

### Land Park Neighborhood

The project site is located within the South Land Park neighborhood, which falls within the larger Land Park Community Plan area. The South Land Park neighborhood underwent residential development later than that of Land Park, mostly occurring between the late 1940s and 1950s. However, Capital Nursery was constructed earlier than much of the residential development in South Land Park, and largely serviced the community of Land Park when it first developed.

~~The project site is located in the Land Park neighborhood, which is located south of Broadway, east of Riverside Boulevard, west of Freeport Boulevard, and north of Sutterville Road. The Land Park neighborhood in Sacramento was originally part of John Sutter's Mexican land grant known as Helvetia. Pioneer ranchers, hop growers, dairymen, and homesteaders who enjoyed the proximity to the City and the river populated the large tracts of land in the southern area currently known as Land Park. Early settlers resided around Riverside Road, which was eventually annexed to the City.~~

The first sentence in the last paragraph on page 4.4-4 is revised to read:

By 1957, the South Land Park neighborhood had been fully developed. The area immediately surrounding the project site was fully developed with single-family residences, and the once vacant land on the east side of Freeport Boulevard was developed with new commercial properties.

The first sentence under ***Building 1 – 1913 Wentworth Avenue*** on page 4.4-5 is revised to read:

The property at 1913 Wentworth Avenue (APN 017-0121-010) is a Minimal Traditional-style single-family residence built in 1950 (Sacramento County Assessor). Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park ~~neighborhood~~ community.

Mitigation Measure 4.4-4 on page 4.4-23 was mis-numbered. The information is corrected and revised to read:

**4.4-4** Implement Mitigation Measures ~~4.44~~-1(a) and (b).

## Section 4.6, Hazards and Public Safety

Mitigation Measure 4.6-1 on page 4.6-14 was numbered incorrectly. The information is corrected to read:

**4.6-12** In the event that grading or construction of the proposed project reveals evidence of soil contamination (e.g., suspicious odors, non-soil material, or stained soils) a Hazardous Materials Contingency Plan shall be prepared....

## Section 4.8, Noise

The first sentence under the **Mitigation Measures** heading on page 4.8-19 incorrectly numbers the mitigation. Therefore, the text is corrected to indicated the correct mitigation measure number:

Mitigation Measure 4.8-61 (a) through (c) would avoid or substantially reduce construction noise impacts upon adjacent residences by requiring construction equipment be in good working order to minimize noise, locating noisy pieces of construction equipment away from residences, and constructing the wall adjacent to the northern and western project boundaries early in the construction phase ...

The following information is added to Impact 4.8-5 starting on page 4.8-26 after the first paragraph. The new text included reads:

An emergency back-up generator is also proposed to be located immediately east of the loading dock area, not closer than 100 feet from the western property line (email communication including site plan mark-up, Michael Helzer, Raley's, 9/13/16). The emergency generator would be a Gillette Model SP-410, outfitted with a factory-supplied Level 2 sound enclosure. With this enclosure, the generator has a reported operating sound level of 64 dBA  $L_{eq}$  at 23 feet. This level would be reduced to 52 dBA  $L_{eq}$  at the western property line (the western property line is 100 feet away, which represents two doublings of the reference distance for the compactor noise; therefore, the average sound level would be 12 dBA less, or 52 dBA  $L_{eq}$ ). Even if the emergency generator were operated during truck delivery activities, the combined noise level at the property line from generator and delivery activities would be 61 dBA  $L_{eq}$ . In addition, if the trash compactor were also to be operated along with the generator, during truck delivery activities, the combined noise from all three activities would still total 61 dBA  $L_{eq}$  at the western property line. This combined average noise level from the trash compactor, emergency generator, and truck delivery operation would be reduced by the proposed masonry wall along the western boundary to 51 dBA at the closest neighbor. This combined loading dock, trash compactor, and generator noise level is compliant with the daytime (7 a.m. to 10 p.m.) restriction of 55 dBA contained in Section 8.68.060 of the

City's Municipal Code. Raley's proposes to run the generator for testing and maintenance once per month, for a duration of not more than 30 minutes, and between the hours of 10 a.m. and 5 p.m. The operation of the emergency generator would therefore not be anticipated to affect the CNEL value at the adjacent property line associated with delivery activities and trash compactor operation carried out in the loading dock area.

#### **Section 4.10, Transportation and Circulation**

The first through third sentences in the last paragraph on page 4.10-6 are revised to read:

The Sacramento Regional Transit District (RT) operates ~~67~~ 69 bus routes and ~~38.6~~ 41.8 miles of light rail covering a 418 square-mile service area. Buses and light rail run 365 days a year using ~~76-90~~ light rail vehicles, ~~182-209~~ buses (with an additional 30 buses in reserve) powered by compressed natural gas (CNG) and 44 25 shuttle vans. Buses operate daily from ~~5-4.40~~ a.m. to 11:40 p.m. every 12 to 75 minutes, depending on the route.

The second sentence in the first paragraph on page 4.10-11 is revised to read:

The closest bus stops to the project site are located south of ~~Wentworth Avenue/Stacia Way~~ Meer Way (southbound) and north of ~~Argail Meer Way (northbound and southbound)~~.



**THE PARK**  
SACRAMENTO, CALIFORNIA

## PROJECT SUMMARY

**STREET ADDRESS**  
4700, 4740 & 4790 FREEPORT BLVD.,  
1913, 1919, 1927 & 2009 WENTWORTH AVE.

**ZONING**  
COMMERCIAL (C-2-EA-4, C-2)  
RESIDENTIAL (R-1, R-1-EA-4, R-1A-EA-4)  
RESIDENTIAL (R-2A-R-EA-4/R-2A-EA-4)

**ASSESSOR'S PARCEL NUMBERS**  
017-0121-001, 017-0121-007, 017-0121-008,  
017-0121-009, 017-0121-010, 017-0121-006

**SITE AREA:** 9.867 ACRES  
(429,806.5 SF)

**TOTAL BUILDING AREA:** 108,165 SF  
**FLOOR AREA RATIO:** 0.24

**PARKING**  
**TOTAL ON-SITE PARKING:** 457 STALLS  
**PARKING RATIO:** 4.2/1000

**STANDARD STALL SIZE:** 8.5' X 18'  
**MINIMUM AISLE WIDTH:** 24'

**BICYCLE PARKING**  
**LONG-TERM PARKING PROVIDED IN LOCKERS**  
1 STALL PER 10,000 SF: 11 STALLS

**SHORT-TERM PARKING PROVIDED BY RACKS**  
**DISTRIBUTED THROUGHOUT THE SITE**  
1 STALL PER 2,000 SF: 57 STALLS  
**BICYCLE PARKING AREA:** 2' X 8'

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SOURCE: Gates + Associates, 2016

**DUDEK**

Land Park Raley's

**FIGURE 2-7**  
**Revised Landscaping Plan**

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## CHAPTER 3 COMMENTS AND RESPONSES

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This chapter contains the comment letters received in response to the Draft EIR during the public review period (August 1, 2016 through September 15, 2016). Each comment letter is numbered, each comment is bracketed, and responses are provided to each comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project unrelated to its environmental impacts) may either be discussed or noted for the record. Where text changes in the Draft EIR are warranted based on comments received, updated project information, or information provided by City of Sacramento staff, those changes are included in the response to comment, and are also listed in Chapter 2 of this Final EIR.

The changes to the analysis contained in the Draft EIR represent only minor clarifications/ amplifications and do not constitute significant new information. In accordance with CEQA Guidelines, Section 15088.5, recirculation of the Draft EIR is not required.

A list of all commenters is provided below followed by the individual comment letters and responses.

<b>Letter Number</b>	<b>Date of Letter</b>	<b>Sender Organization</b>
<i>State and Local Agencies</i>		
1	8/1/16	Traci Canfield, Long Range Planner, Sacramento Regional Transit District
2	8/3/16	Robb Armstrong, Regional San Development Services and Plan Check, RegionalSan
3	9/15/16	SMUD, Rob Ferrera, Environmental Specialist
4	9/15/16	SMAQMD, Teri Duarte, Planner/Analyst
<i>Organizations</i>		
5	9/12/16	Land Park Community Association, Steve Winlock, President
6	9/14/16	SacMod, Gretchen Steinberg, President
7	9/15/16	Hollywood Park Neighborhood Association
8	9/15/16	South Land Park Neighborhood Association
9	9/15/16	Sacramento Area Bicycle Advocates, Jordan Lang, Project Analyst
<i>Individuals</i>		
10	2/6/16	Kurt and Susan Pedersen
11	8/1/16	Jean Nelson
12	8/4/16	Mary DeLost
13	8/8/16	Sandra Takagi
14	8/11/16	Brian Menter

Letter Number	Date of Letter	Sender Organization
15	Undated	Brandon Sherrets
16	9/9/16	Anne E. Collentine and Jon Kevin Williams
17	9/12/16	Glenda Marsh
18	9/15/16	James Blanke
19	9/15/16	Ann M. Collentine and Jon K. Williams
20	9/15/16	Sharon Kowall, Janis Heple, Melinda Rivasplata
21	9/15/16	Catherine Bunch and Petition Forms
22	9/15/16	Janet Marzolf
23	9/15/16	Marcia Yamamoto
<i>Comments Received After the Close of the Comment Period</i>		
24	9/19/16	Paul Kunz
25	9/19/16	Neil Schild

## Comment Letter 1

From: Traci Canfield  
To: Dana Mahaffey  
Subject: Re: Land Park Commercial Center (P15-048) Draft EIR Notice of Availability  
Date: Monday, August 1, 2016 12:43:27 PM  
Attachments: [Land Park Comm Center 072716.pdf](#)

Coincidentally I just sent the attached letter to Elise last week. We would like the bus stop on site (south of Meer) to be improved to be ADA compliant following RT's specifications. The stop has decent boardings and this new land use should generate more ridership interest. From reviewing the DEIR, this stop is not identified. Following are some updates/corrections for the EIR:

Pages 4.10-6 through 4.10-11:

1. The Sacramento Regional Transit District (RT) operates 69 bus routes and 41.8 miles of light rail.
2. We have 90 light rail vehicles, 209 buses powered by compressed natural gas 25 shuttle vans.
3. Buses operate daily from 4:40 a.m. to 11:40 p.m.
4. The closest bus stops to the project site are located south of Meer Way (southbound) and north of Meer Way (northbound).

1-1

Thanks,  
Traci  
Traci Canfield  
Long Range Planner  
Sacramento Regional Transit  
916-556-0513  
[tcanfield@sacrt.com](mailto:tcanfield@sacrt.com)

-----  
Mobile ticketing is here. Download the [RideSacRT](#) app today!  
Available now in the [App Store](#) and [Google Play](#).

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## Letter 1

### Traci Canfield, Long Range Planner Sacramento Regional Transit District

- 1-1** The comment notes information regarding Regional Transit was incorrectly identified in the Draft EIR in Section 4.10, Transportation and Circulation. The text of the Draft EIR is revised to reflect the updated information provided by Regional Transit.

The first through third sentences in the last paragraph on page 4.10-6 are revised to read:

The Sacramento Regional Transit District (RT) operates ~~67~~ 69 bus routes and ~~38.6~~ 41.8 miles of light rail covering a 418 square-mile service area. Buses and light rail run 365 days a year using ~~76-90~~ light rail vehicles, ~~482~~ 209 buses (with an additional 30 buses in reserve) powered by compressed natural gas (CNG) and ~~44~~ 25 shuttle vans. Buses operate daily from ~~5-4~~ 4:40 a.m. to ~~11:40~~ p.m. every 12 to 75 minutes, depending on the route.

The second sentence in the first paragraph on page 4.10-11 is revised to read:

The closest bus stops to the project site are located south of ~~Wentworth Avenue/Stacia Way~~ Meer Way (southbound) and north of ~~Argail~~ Meer Way (northbound ~~and southbound~~).

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## Comment Letter 2

**Main Office**

10080 Goethe Road  
Sacramento, CA 95827-3553  
Tel: 916.876.8000  
Fax: 916.876.6160

**Treatment Plant**

8521 Laguna Station Road  
Elk Grove, CA 95758-9550  
Tel: 916.875.9000  
Fax: 916.875.9068

**Board of Directors**

Representing:  
County of Sacramento  
County of Yolo  
City of Citrus Heights  
City of Elk Grove  
City of Folsom  
City of Rancho Cordova  
City of Sacramento  
City of West Sacramento

Prabhakar Somavarapu  
District Engineer

Ruben Robles  
Director of Operations

Christoph Dobson  
Director of Policy & Planning

Karen Stoyanowski  
Director of Internal Services

Joseph Maestretti  
Chief Financial Officer

Claudia Goss  
Public Affairs Manager

[www.srscsd.com](http://www.srscsd.com)

APR Printed on Recycled Paper

August 3, 2016

Ms. Dana Mahaffey, Associate Planner  
City of Sacramento, Community Development  
Environmental Planning Services  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811

**Subject: Notice of Availability/Draft Environmental Impact Report for the Land Park Commercial Center Project (P15-048)**

Dear Ms. Mahaffey:

Sacramento Regional County Sanitation District (Regional San) has the following comments regarding the Draft Environmental Impact Report for the Land Park Commercial Center Project.

Regional San is not a land-use authority. Projects identified within Regional San planning documents are based on growth projections provided by land-use authorities. Sewer studies will need to be completed to assess the impacts of any project that has the potential to increase flow demands. Onsite and offsite impacts associated with constructing sanitary sewer facilities to provide service to the subject project should be included in this environmental impact report.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer and treatment facilities that serves new customers. The Regional San ordinance is located on the Regional San website at [www.regionalsan.com](http://www.regionalsan.com).

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via Sump 2/2A and the Regional San City Interceptor system. Cumulative impacts of the proposed project will need to be quantified by the project proponents to ensure wet and dry weather capacity limitations within Sump 2/2A and the City Interceptor system are not exceeded.

On March 13, 2013, Regional San approved the Wastewater Operating Agreement between the Sacramento Regional County Sanitation District and the City of Sacramento. The following flow limitations are outlined in this agreement:

Service Area	Flow Rate (MGD)
Combined Flows from Sump 2 and Sump 2A	60
Combined flows from Sumps 2, 2A, 21, 55, and 119	98
Total to City Interceptor of combined flows from Sumps 2, 2A, 21, 55, 119, and five trunk connections	108.5

2-1

2-2

Ms. Dana Mahaffey  
August 3, 2016  
Page 2

The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens through a primary sedimentation process. This allows most of the heavy organic solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers. Clean water pours off the top of these clarifiers and is chlorinated, removing any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the river, sulfur dioxide is added to neutralize the chlorine. The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. The SRWTP was designed to accommodate some wet weather flows while the storage basins and interceptors were designed to accommodate the remaining wet weather flows.

A NPDES Discharge Permit was issued to Regional San by the Central Valley Regional Water Quality Control Board (Water Board) in December 2010. In adopting the new Discharge Permit, the Water Board required Regional San to meet significantly more restrictive treatment levels over its current levels. Regional San believed that many of these new conditions go beyond what is reasonable and necessary to protect the environment, and appealed the permit decision to the State Water Resources Control Board (State Board). In December 2012, the State Board issued an Order that effectively upheld the Permit. As a result, Regional San filed litigation in California Superior Court. Regional San and the Water Board agreed to a partial settlement in October 2013 to address several issues and a final settlement on the remaining issues were heard by the Water Board in August 2014. Regional San began the necessary activities, studies and projects to meet the permit conditions. The new treatment facilities to achieve the permit and settlement requirements must be completed by May 2021 for ammonia and nitrate and May 2023 for the pathogen requirements.

Regional San currently owns and operates a 5-mgd Water Reclamation (WRF) that has been producing Title 22 tertiary recycled since 2003. The WRF is located within the SRWTP property in Elk Grove. A portion of the recycled water is used by Regional San at the SRWTP and the rest is wholesaled to the Sacramento County Water Agency (SCWA). SCWA retails the recycled water, primarily for landscape irrigation use, to select customers in the City of Elk Grove. It should be noted that Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

If you have any questions regarding these comments, please feel free to contact me at (916) 876-6104 or by email: [armstrongro@sacsewer.com](mailto:armstrongro@sacsewer.com).

Sincerely,



Robb Armstrong  
Regional San Development Services & Plan Check

Cc: SASD Development Services

2-2  
Cont.

## Letter 2

### **Robb Armstrong Regional San Development Services and Plan Check Regional San**

- 2-1** The comment states sewer studies are needed to assess the increase in sewer flows and any on-site and off-site impacts associated with constructing sewer facilities should be addressed in the EIR.

Section 4.9, Public Services and Utilities addresses the project's increase in wastewater (sewer) and discusses the on-site and off-site sewer connections. As indicated on page 4.9-26 of the Draft EIR, the increase in wastewater is based on the amount of water used by the existing Raley's store not including the amount of water used for irrigation, plus the six additional retail shops based on ESD equivalent factors. The total wastewater demand for the proposed project would be approximately 10.74 AFY (9,588 gpd). For a conservative estimate this includes Raley's existing wastewater generation in addition to the new wastewater demand from the six new shops. However, it is likely that Raley's wastewater usage would be lower because not all water used at the project site would flow to and be treated by the wastewater treatment plant. The Draft EIR notes that the project's total wastewater demand represents approximately 0.024% of the excess capacity and 0.005% of the permitted daily capacity of the SRWWTP. Adequate capacity exists to accommodate the incremental increase in wastewater flows generated by the proposed project. The project would connect to existing City sewer main lines ranging in size from 9-inches to 12-inches in diameter adjacent to the project site in Wentworth Avenue, Sherwood Avenue and Freeport Boulevard. It is anticipated the proposed on-site improvements would be served by 8-inch sewer lines, with a single 8-inch connection to the city's existing sewer mainline in Wentworth Avenue (see Draft EIR Chapter 2, Project Description, p. 2-6).

- 2-2** The comment provides general background information on Regional Sanitation facilities. The comment does not address the adequacy of the EIR; therefore, no response is required.

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## Comment Letter 3



September 15, 2016

Dana Mahaffey  
City of Sacramento  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811

Subject: Environmental Impact Report (EIR), Land Park Commercial Center Project

Dear Ms. Mahaffey,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the EIR, Land Park Commercial Center Project. SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

3-1

It is our desire that the EIR, Land Park Commercial Center Project will acknowledge any project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on [smud.org](http://smud.org) for more information regarding transmission encroachment:
- <https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm>
- <https://www.smud.org/en/do-business-with-smud/real-estate-services/transmission-right-of-way.htm>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency

3-2

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

3-3

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on this EIR. If you have any questions regarding this letter, please contact Rob Ferrera, SMUD Environmental Specialist at (916) 732-6676.

↑  
3-3  
Cont.

Sincerely,



Rob Ferrera  
Environmental Specialist  
Environmental Management  
Workforce and Enterprise Services  
Sacramento Municipal Utility District

Cc: Rob Ferrera  
Jose Bodipo-Memba  
Pat Durham  
Joseph Schofield

**Letter 3****SMUD****Rob Ferrera, Environmental Specialist**

**3-1** The comment is noting that as a responsible agency, SMUD is committed to ensuring the project limits the potential to adversely impact SMUD facilities, employees and customers. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is forwarded to the decision makers for their consideration.

**3-2** This comment requests that project impacts to overhead or underground transmission and distribution line easements, utility line routing, electrical load needs and energy efficiency are addressed in the EIR.

Section 4.9 Public Services and Utilities, addresses the project's demand for electricity and natural gas and project related impacts to associated infrastructure. As discussed under Impact 4.9-6, both PG&E and SMUD have adequate capacity to serve the project site using existing infrastructure. The project would not require relocation, expansion of existing or construction of new infrastructure. Additionally, the project includes energy efficient features and would comply with the CALGreen Tier 1 water efficiency and conservation standards (see Draft EIR Chapter 2, Project Description, p. 2-36).

**3-3** The comment notes that SMUD is interested in being a partner in the efficient and sustainable delivery of the project and would like information included in response to its letter to be conveyed to project planners and the project applicant. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is forwarded to city staff, the applicant team and the decision makers for their consideration.

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## Comment Letter 4



Larry Greene  
AIR POLLUTION CONTROL OFFICER

September 15, 2016

SENT VIA E-MAIL ONLY

Dana Mahaffey  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811

**RE: Land Park Commercial Center DEIR (P15-048) (SAC201501556)**

Dear Ms. Mahaffey:

Thank you for providing the Land Park Commercial Center project Draft Environmental Impact Report (DEIR) for review. The proposed project includes development of a neighborhood-serving retail center with a 55,000-square foot grocery store and 53,165 square feet of additional retail uses on approximately 10 acres located in the Land Park neighborhood. SMAQMD staff comments on the report and the project follow.

*Project Description Section*

On page 2-10, Table 2-1 indicates there will be 457 parking spaces for vehicles. Text in the third line of page 2-17 also indicates there will be 457 parking spaces. However, on page 2-13, Table 2-2 indicates there will be 5341 parking spaces. Please include the correct number of parking spaces in Table 2-2.

On page 2-38, the conditions of project approval indicate that a striped pedestrian crossing of Wentworth Avenue will be installed near the project's driveway off of Wentworth Avenue. SMAQMD staff received your email of August 31 indicating that the pedestrian crossing will be a raised crosswalk. This is consistent with City General Plan policy M 4.3.2, "The City shall use traffic calming measures to reduce vehicle speeds and volumes while also encouraging walking and bicycling." The pedestrian crossing should be described as a raised crosswalk in the project description, as well as in the transportation section, on page 4.10-79. Please indicate whether the raised crosswalk will also be a condition of approval.

*Air Quality Section*

On page 4.2-6, Table 4.2-1 indicates the status of attainment or non-attainment with National Ambient Air Quality Standards for criteria air pollutants in the Sacramento Valley Air Basin. Please correct the designations that are out of date: (1) Carbon monoxide, which is listed in the table as unclassifiable in the South portion of the Air Basin, is in attainment. (2) Sulfur dioxide, which is listed in the table as unclassifiable, is in attainment.

4-1

4-2

4-3

777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908  
916/874-4800 ■ 916/874-4899 fax  
www.airquality.org

Ms. Dana Mahaffey  
Land Park Commercial Center Project DEIR  
September 15, 2016  
Page 2

On page 4.2-7, Table 4.2-2 indicates the attainment status of criteria pollutants with respect to the California Ambient Air Quality Standards. Please correct the designation for fine particulate matter, which is *not* in attainment with the California Ambient Air Quality Standards.

↑  
4-3  
Cont.

On pages 4.2-23 through 4.2-25, in Tables 4.2-5 and 4.2-6, include the annual PM<sub>2.5</sub> and PM<sub>10</sub> emissions and thresholds.

↑  
4-4

On page 4.2-28, it is stated that the proposed project does not include emergency generators. I understand from your email of August 31 that the proposed Raley's store will have one 67 HP generator which will run for 30 minutes one day each week, at a day and time to be selected by Raley's. Generators of 50 HP or greater require a permit from the SMAQMD. In the final EIR, an analysis of the generator operation and a review of the emissions associated with the generator, including determination of significance, should be included.

↑  
4-5

On page 4.2-80-29, the restriction of diesel particulate matter emissions from idling diesel trucks and transportation refrigeration units making deliveries to the grocery store is discussed. The SMAQMD commends the project applicant on the planned installation of electrical hookups for delivery trucks, which give truck operators the ability to shut off their main engines during the unloading process and maintain power to the refrigeration systems in the trucks. These electrical hookups will achieve substantial reductions in particulate matter emissions. It is stated also that "trucks in loading area would be instructed by Raley's not to leave their engines idling." The District recommends that, in addition, signs prohibiting idling more than 5 minutes be posted in the loading area.

↑  
4-6

#### *Transportation Section*

One of the project's goals is to "Create a pedestrian-friendly development that promotes pedestrian and bicycle use from the surrounding neighborhoods." Critical to creating a pedestrian-friendly environment is restricting the speed of vehicles on the roads that access the development. The speed limit on Freeport Blvd from Wentworth to Sutterville is 35 miles per hour. The City of Sacramento's General Plan Policy M 4.4.4 states that "The City shall ensure that all street projects support pedestrian and bicycle travel. Improvements may include ... target speeds less than 35 miles per hour." In pedestrian districts, speed limits should be no more than 20 or 25 miles per hour. If pedestrians are struck by vehicles travelling at 35 miles per hour, the likelihood of death is more than 50%. The District recommends that the City consider reducing the speed limit on Freeport Blvd from Wentworth to Sutterville Road, especially given that the speed limit on Freeport in the segment immediately north of Sutterville, where there are less intensive land uses, is 30 miles per hour.

↑  
4-7

Another component in creating a development that promotes pedestrian and bicycle use is to provide adequate and appropriate bicycle parking. The District recommends that bicycle parking be designed so that it can accommodate bike trailers, cargo bikes, bike buggies and other types of bicycles that might be used for transport of groceries and other bulky items from the retail stores.

↑  
4-8

777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908  
916/874-4800 ■ 916/874-4899 fax  
www.airquality.org

Ms. Dana Mahaffey  
 Land Park Commercial Center Project DEIR  
 September 15, 2016  
 Page 3

The District recommends the project be built according to Scheme B, vs Scheme A, as Scheme B provides an enhanced pedestrian access network compared to Scheme A, and as such will generate fewer greenhouse gas emissions.<sup>1</sup>

4-9

The District recommends coordination of bus stop locations, pedestrian infrastructure, and associated crosswalks with Regional Transit. This is in accordance with the following City of Sacramento General Plan Goals and Policies:

- Goal 3.1: Safe, Comprehensive, and Integrated Transportation System: Create and maintain a safe, comprehensive, and integrated transit system as an essential component of a multimodal transportation system.
- Policy M3.1.18 Developer contributions: Consistent with the City's established transportation impact analysis and mitigation guidelines, the City shall require developer contributions for bus facilities and services and related improvements.

4-10

*Appendix B – Climate Action Plan Consistency Checklist*

Item #2 on the CAP Consistency Checklist indicates that "The proposed project does not include any... roadway improvements, therefore traffic calming measures are not applicable." However, road improvements are planned, for example as stated on page 2-14 in the Project Description, "A left-turn lane is proposed from Freeport Boulevard to allow access for vehicles traveling north," and on page 2-38, "The City's Conditions of Project Approval require the project applicant to install a new traffic light at Freeport Boulevard and Meer Way and add a striped pedestrian crossing of Wentworth Avenue... A short median on Wentworth Avenue would also be constructed..." Please correct this inconsistency between the Project Description and the CAP Checklist. Note that the new traffic signal, new median, and new raised crosswalk (as discussed above in the Project Description section of this letter) will improve the consistency of the project with the CAP Checklist.

4-11

All projects are subject to SMAQMD rules at the time of construction. Specific rules that may relate to construction activities are attached. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916-874-4800.

4-12

Please contact me at 916-874-4816 or [tduarte@airquality.org](mailto:tduarte@airquality.org) if you have any questions regarding these recommendations.

Sincerely,



Teri Duarte, MPH  
 Planner/Analyst

<sup>1</sup> Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures.  
[http://www.airquality.org/climatechange/CAPCOA\\_QGHGMM\\_Report\\_082510-FINAL.pdf](http://www.airquality.org/climatechange/CAPCOA_QGHGMM_Report_082510-FINAL.pdf), page 186.  
 777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908  
 916/874-4800 ■ 916/874-4899 fax  
[www.airquality.org](http://www.airquality.org)

Ms. Dana Mahaffey  
Land Park Commercial Center Project DEIR  
September 15, 2016  
Page 4

Attachment

Cc: Paul Philley, SMAQMD  
Brian Krebs, SMAQMD  
Traci Canfield, Regional Transit

777 12th Street, 3rd Floor ■ Sacramento, CA 95814-1908  
916/874-4800 ■ 916/874-4899 fax  
[www.airquality.org](http://www.airquality.org)

**Attachment****SMAQMD Rules & Regulations Statement (revised 3/2012)**

The following statement is recommended as standard condition of approval or construction document language for all development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour.** The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

**Rule 417: Wood Burning Appliances.** This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 460: Adhesives and Sealants.** The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

**Naturally Occurring Asbestos:** The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. Asbestos Airborne Toxic Control Measures, Section 93105 & 93106 contain specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

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916/874-4800 ■ 916/874-4899 fax  
[www.airquality.org](http://www.airquality.org)

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**Letter 4****SMAQMD****Teri Duarte, Planner/Analyst**

- 4-1** The comment notes that Table 2-2 in Chapter 2, Project Description, appears to indicate a different number of parking spaces.

The total number of parking spaces to be provided by the project under Scheme A is 457 spaces, as shown in Table 2-1 in Chapter 2. In Table 2-2, the number of parking spaces under Scheme B is 534 spaces, which includes 77 spaces in the Bank of America parking lot. This difference in the number of spaces is identified in the note referenced in the table. However, the “1” (incorrectly shown as 5341 parking spaces) should have been shown in superscript because it relates to the note included below the table. The text is revised, as shown in Chapter 2, Changes to the Draft EIR.

- 4-2** The comment is requesting that the description of striped pedestrian crossing of Wentworth Avenue be revised in the Project Description so it is clear this would be a raised crosswalk. The comment also asks if this crosswalk will be a condition of project approval.

To address the desire to see this crosswalk more clearly described in the project description the following change is made to Chapter 2, Project Description.

The first sentence under **Conditions of Project Approval** on page 2-38 in Chapter 2, Project Description is revised as follows:

The City’s Conditions of Project Approval require the project applicant to install a new traffic light at Freeport Boulevard and Meer Way and add a raised striped pedestrian crossing of Wentworth Avenue near the project’s driveway off of Wentworth Avenue.

The requirement to install this raised pedestrian crossing would be required by the City as a Condition of Project Approval.

- 4-3** The comment indicates information provided in the Draft EIR regarding the attainment status is outdated and needs to be updated.

The commenter is correct, some of the information included in the Draft EIR was out of date and is corrected as noted below:

The following revisions have been made to update the County's attainment status in Tables 4.2-1 and 4.2-2 on pages 4.2-6 and 4.2-7 of the Draft EIR:

**Table 4.2-1**  
**NAAQS and Status**  
**Sacramento Valley Air Basin (Sacramento County)**

Pollutant	Averaging Time	Designation/Classification
Ozone (O <sub>3</sub> )	8 hours	Nonattainment/Severe-15
Nitrogen dioxide (NO <sub>2</sub> )	1 hour, annual arithmetic mean	Unclassifiable/Attainment
Carbon monoxide (CO) <sup>1</sup>	1 hour, 8 hours	Attainment/Maintenance (North) <del>Unclassifiable</del> /Attainment (South)
Sulfur dioxide (SO <sub>2</sub> )	24 hours, annual arithmetic mean	<del>Unclassifiable</del> <u>Attainment</u>
Respirable particulate matter (PM <sub>10</sub> )	24 hours	Attainment/Maintenance
Fine particulate matter (PM <sub>2.5</sub> )	24 hours, annual arithmetic mean 24 hours	Unclassifiable/Attainment (1997 NAAQS) Nonattainment/Moderate (2006 NAAQS)
Lead (Pb)	Rolling 3-month average	Unclassifiable/Attainment

**Source:** EPA 2015.

**Note:**

<sup>1</sup> The northern (urbanized) portion of Sacramento County, which includes the project site, is designated as Attainment/Maintenance, while the southern (rural) portion of the County is designated as Unclassifiable/Attainment.

**Table 4.2-2**  
**CAAQS and Status**  
**Sacramento Valley Air Basin (Sacramento County)**

Pollutant	Averaging Time	Designation/Classification
Ozone (O <sub>3</sub> )	1 hour, 8 hours	Nonattainment <sup>1</sup>
Nitrogen dioxide (NO <sub>2</sub> )	1 hour, Annual	Attainment
Carbon monoxide (CO)	1 hour, 8 hours	Attainment
Sulfur dioxide (SO <sub>2</sub> )	1 hour, 24 hours	Attainment
Respirable particulate matter (PM <sub>10</sub> )	24 hours, annual arithmetic mean	Nonattainment
Fine particulate matter (PM <sub>2.5</sub> )	Annual arithmetic mean	<del>Attainment</del> <u>Nonattainment</u>
Lead (Pb)	30-day average	Attainment
Sulfates (SO <sub>4</sub> )	24 hours	Attainment



**Table 4.2-2**  
**CAAQS and Status**  
**Sacramento Valley Air Basin (Sacramento County)**

Pollutant	Averaging Time	Designation/Classification
Hydrogen sulfide (H <sub>2</sub> S)	1 hour	Unclassified
Visibility-reducing particles	8 hours (10:00 a.m.–6:00 p.m.)	Unclassified

**Source:** CARB 2015a.

**Note:**

<sup>1</sup> CARB has not issued area classification based on the state 8-hour standard. The previous classification for the 1-hour O<sub>3</sub> standard was Serious.

**4-4** The comment notes that Tables 4.2-5 and 4.2-6 in the Draft EIR include the annual particulate matter emissions and thresholds.

The following revisions have been made to include annual PM<sub>10</sub> and PM<sub>2.5</sub> emissions and respective SMAQMD thresholds in Tables 4.2-5 and 4.2-6 on pages 4.2-23 through 4.2-25 of the Draft EIR. As shown in these tables, the project would not exceed the SMAQMD annual thresholds for PM<sub>10</sub> and PM<sub>2.5</sub>.

**Table 4.2-5**  
**Estimated Maximum Daily and Annual Construction Emissions**

Year	NO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (lbs/day)	PM <sub>2.5</sub> (lbs/day)
<i>Daily Emissions (lbs/day)</i>			
<i>Summer</i>			
2017	79.53	11.02	7.04
2018	31.61	3.38	2.15
<i>Winter</i>			
2017	80.43	11.02	7.04
2018	32.00	3.38	2.15
<b>Maximum Daily</b>	<b>80.43</b>	<b>11.02</b>	<b>7.04</b>
<i>Pollutant Threshold</i>	85	80	82
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>
<i>Annual Emissions (tons/year)</i>			
<u>2017</u>	<u>3.66</u>	<u>0.38</u>	<u>0.24</u>
<u>2018</u>	<u>1.99</u>	<u>0.20</u>	<u>0.13</u>
<b>Maximum Annual</b>	<b>3.66</b>	<b>0.38</b>	<b>0.24</b>
<i>Pollutant Threshold</i>	NA	14.6	15
<b>Threshold Exceeded?</b>	<b>NA</b>	<b>No</b>	<b>No</b>

**Source:** See Appendix B for detailed results.

**Notes:** These estimates reflect implementation of SMAQMD Basic Construction Emission Control Practices. SMAQMD has adopted construction thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.  
lb/day = pounds per day; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

**Table 4.2-6**  
**Estimated Unmitigated Maximum Daily and Annual Operational Emissions**

Source	ROG (lb/day)	NO <sub>x</sub> (lb/day)	PM <sub>10</sub> (lb/day)	PM <sub>2.5</sub> (lb/day)
<i>Daily Emissions (lbs/day)</i>				
<i>Summer</i>				
Area	8.67	0.00	0.00	0.00
Energy	0.04	0.39	0.03	0.03
Mobile	19.40	27.99	23.25	6.48
<b>Total Summer</b>	<b>28.11</b>	<b>28.38</b>	<b>23.28</b>	<b>6.51</b>
<i>Winter</i>				
Area	8.67	0.00	0.00	0.00
Energy	0.04	0.39	0.03	0.03
Mobile	17.87	31.72	23.25	6.48
<b>Total Winter</b>	<b>26.58</b>	<b>32.11</b>	<b>23.28</b>	<b>6.51</b>
<b>Maximum Daily</b>	<b>28.11</b>	<b>32.11</b>	<b>23.28</b>	<b>6.51</b>
<i>Pollutant Threshold</i>	65	65	80	82
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<i>Annual Emissions (tons/year)</i>				
<u>Area</u>	<u>1.58</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Energy</u>	<u>0.01</u>	<u>0.07</u>	<u>0.01</u>	<u>0.01</u>
<u>Mobile</u>	<u>3.09</u>	<u>5.47</u>	<u>4.09</u>	<u>1.14</u>
<b>Maximum Annual</b>	<b>4.68</b>	<b>5.54</b>	<b>4.10</b>	<b>1.15</b>
<i>Pollutant Threshold</i>	<u>NA</u>	<u>NA</u>	<u>14.6</u>	<u>15</u>
<b>Threshold Exceeded?</b>	<b>NA</b>	<b>NA</b>	<b>No</b>	<b>No</b>

**Source:** See Appendix B for detailed results.

**Note:** SMAQMD has adopted operational thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.

lb/day = pounds per day; ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

**4-5** The comment is referring to the emergency generator to be included in the event there is a power outage and is requesting an analysis of the operation of the generator be included in the Final EIR.

The following revisions have been made to the text of the air quality analysis in the Draft EIR to include operation of the proposed emergency generator. The following revisions have been made to the text on page 4.2-28 of the Draft EIR:

~~In regards to operations, the proposed project does not include stationary sources that would emit air pollutants or TAGs, such as large~~

~~boilers, one 67-horsepower emergency generators, or manufacturing facilities that would run for 30-minutes once per month. Based on information provided by Raley's, the generator would be either natural gas or liquid petroleum gas fueled and would include a catalytic converter to reduce emissions. Emissions are reported in Table 4.2-7. As depicted below, daily and annual emissions would be negligible and would result in a less-than-significant impact. Thus, the project would not result in emissions of TAC from such stationary sources.~~

**Table 4.2-7**  
**Estimated Maximum Daily and Annual Emergency Generator Testing Emissions<sup>1</sup>**

<b>Fuel Type Option</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<i>Daily Emissions (lbs/day)</i>				
<u>Natural Gas</u>	<u>0.00</u>	<u>0.01</u>	<u>0.00</u>	<u>0.00</u>
<u>Liquefied Petroleum Gas</u>	<u>0.00</u>	<u>0.01</u>	<u>0.00</u>	<u>0.00</u>
<b>Maximum Daily</b>	<b><u>0.00</u></b>	<b><u>0.01</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<i>Pollutant Threshold</i>	<u>65</u>	<u>65</u>	<u>80</u>	<u>82</u>
<b>Threshold Exceeded?</b>	<b><u>No</u></b>	<b><u>No</u></b>	<b><u>No</u></b>	<b><u>No</u></b>
<i>Annual Emissions (tons/year)</i>				
<u>Natural Gas</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Liquefied Petroleum Gas</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Maximum Annual</b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<i>Pollutant Threshold</i>	<u>NA</u>	<u>NA</u>	<u>14.6</u>	<u>15</u>
<b>Threshold Exceeded?</b>	<b><u>NA</u></b>	<b><u>NA</u></b>	<b><u>No</u></b>	<b><u>No</u></b>

**Source:** See Appendix B for detailed results.

**Notes:**

<sup>1</sup> ROG, NO<sub>x</sub>, CO emission factors based on catalytic converter treated genset from emission compliance letters provided by Nett Technologies (April 2015). Particulates were not provided in emission sheets and were thus calculated using factors derived from CalEEMod User's Guide, Appendix D, for 2016 generators >50 and <120 HP. Emissions of PM<sub>10</sub> and PM<sub>2.5</sub> were calculated by applying the CNG % reductions to the diesel emission factors provided in the CalEEMod User's Guide, Appendix D.

lb/day = pounds per day; NO<sub>x</sub> = oxides of nitrogen; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter

- 4-6** The comment is expressing support for installing electrical hookups for delivery trucks accessing the Raley's loading dock and recommends including signs prohibiting idling more than 5 minutes be posted in the loading dock area. The City has included a Condition of Project Approval for the applicant to install signs prohibiting idling more than 5 minutes in the Raley's loading dock area as shown in Chapter 2, Changes to the Draft EIR.

- 4-7** The comment is recommending that the City reduce the speed limit on Freeport Boulevard between Wentworth Boulevard to Sutterville Road to less than 35 mph.

The methodology of establishing the speed limit along Freeport Boulevard is governed by the California Vehicle Code and it was justified by an Engineering and Traffic Survey (ETS) performed along several segments of Freeport Boulevard. The City is required to reevaluate the speed limits on segments of roadways that have undergone a significant change in roadway characteristics or surrounding land uses. The development of the project site would require reevaluation of the speed limit adjacent of the project site. If justified by a new ETS and a traffic evaluation, speed limits may be reduced.

- 4-8** The comment is recommending that the bicycle parking be designed to accommodate bike trailers, cargo bikes, and bike buggies that may be used to transport larger items.

As described on page 2-17 in Chapter 2, Project Description, the project includes bicycle parking consistent with the City's Zoning Ordinance. Long-term Class I and short-term Class III parking would be provided throughout the site. Class I parking would be provided by 11 secure bike lockers with an additional 57 bike spaces provided in bike racks throughout the project site. The recommendation that the bicycle parking be designed to permit bikes with trailers is noted.

- 4-9** The comment is expressing support for Scheme B because it provides a better network for pedestrians and would result in the contribution of fewer greenhouse gas emissions. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. However, the commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 4-10** The comment recommends the coordination of bus stops and pedestrian crosswalks with Regional Transit (RT). The project does not propose relocating or adding a new bus stop along Freeport Boulevard. In reviewing the project plans City staff has coordinated with RT, when required. The City has included a Condition of Project Approval for the applicant to make provisions for bus stops and shelters, etc. to the satisfaction of Regional Transit. These provisions would include improving the existing bus stop, located on the northeast corner of the property, to Regional Transit's specifications and to meet current ADA requirements.

- 4-11** The comment is requesting that the project's Climate Action Plan (included in Appendix B in the Draft EIR) be updated to reflect specific traffic-related project components and the City's Conditions of Project Approval. The project's Climate Action Plan has been updated and is included in Chapter 2, Changes the Draft EIR.
- 4-12** The comment reiterates that the project would be required to comply with SMAQMD construction rules. All of the required SMAQMD construction rules are listed in Section 4.2 of the Draft EIR starting on page 4.2-18 and would be complied with during project construction.

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## Comment Letter 5



September 12, 2016

*Via Email*

Dana Mahaffey, Associate Planner  
City of Sacramento  
Community Development Dept.  
Environmental Planning Services  
300 Richards Blvd., 3rd Floor  
Sacramento, CA 95811-0218  
E-mail: DMahaffey@cityofsacramento.org

RE: Land Park Commercial Center

Dear Ms. Mahaffey,

On behalf of the Land Park Community Association (“LPCA”), I write in connection with the draft EIR for the Land Park Commercial Center development (P15-048), better known to us as the Raley’s development project. In particular, I write to share the LPCA position *in support* of that proposal.

5-1

We would like to commend Raley’s and the development team for their intent to create a neighborhood oriented environment, as well as the scale and modern treatment of the project’s design. We feel this project is in true context with the surrounding area. Moreover, there are many attractive elements to the design including the Raley’s store itself, the extensive use of landscaped outdoor plazas, paseos and seating areas for dining and general public gatherings. We also appreciate the extensive use of trees and would like to add our encouragement that this be a high priority and that as many specimen size trees as possible be included.

5-2

After receiving input from the Land Park community as well as surrounding neighborhood associations and bicycle and pedestrian advocates, we feel that the Raley’s design team has done their due diligence to respond to neighborhood concerns and adjust their plans accordingly. We appreciate the additional bicycle and pedestrian access points into and out of the project as well as ample bicycle parking. The addition of glazing, windows and other building design elements to soften or break up the mass of the rear

5-3

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www.landpark.org | a 501(c)(3) organization



building walls is also noted and welcomed. The Raley's Design Team also integrated the historic Raley's sign per neighbor requests and added foliage, trees, a closed fire lane, and other elements behind the Raley's building to limit the noise and light pollution into the backyards of neighboring homes. Each adjustment that the Raley's Design Team has made to accommodate the neighbors and the Land Park neighborhood continues to show us that they are a great neighbor and are willing to make this project an open and inclusive process.

The Land Park Community Association is excited about the Raley's development project and look forward to having a new Raley's shopping center on the former Capital Nursery site.

Sincerely,

LPCA Board of Directors  
Steve Winlock, President  
[president@landpark.org](mailto:president@landpark.org)

Cc: Raley's Design Team (by email only)  
Chelsea Minor, Raley's (by email only, at [CMinor1@raleys.com](mailto:CMinor1@raleys.com))  
Planning & Design Commissioners (by email only)  
Elise Gumm, Project Planner (by email only, at [egumm@cityofsacramento.org](mailto:egumm@cityofsacramento.org))  
Councilmember Steve Hansen (by email only, at [shansen@cityofsacramento.org](mailto:shansen@cityofsacramento.org))

↑  
5-3  
Cont.

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## Letter 5

### Steve Winlock, President Land Park Community Association

- 5-1** The comment notes the Land Park Community Association supports the project. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.
- 5-2** The comment is expressing support for the project and notes that the project is in scale with the surrounding area and supports the inclusion of attractive design elements and trees. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.
- 5-3** The comment notes that the project's design team did their due diligence and responded to comments received from the pedestrian and bicycle advocates and neighbors and revised plans accordingly. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.

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## Comment Letter 6



September 14, 2016

**Submitted by e-mail**

Dana Mahaffey, Associate Planner  
City of Sacramento  
Community Development Dept.  
Environmental Planning Services  
300 Richards Blvd., 3rd Floor  
Sacramento, CA 95811-0218  
E-mail: [DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)

**Re: Draft Environmental Report for the Land Park Commercial Center  
(P15-048)**

Dear Ms. Mahaffey:

On behalf of Sacramento Modern (SacMod), thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Land Park Commercial Center project. SacMod has been observing the developments and discussions surrounding the proposed plans to demolish and redesign the Capital Nursery site at 4700 Freeport Boulevard. The largest building on the new site would house the Raley's grocery store that is relocating from 4850 Freeport Boulevard.

SacMod is a 501(c)(3) non-profit organization founded in 2010; we are dedicated to preserving modern art, architecture, and design in the Sacramento region. We do this by conducting home tours, bike tours, walking tours, film screenings, preservation campaigns, publications, and educating the public about modernism.

At this time, our comments regarding the proposed project are limited to aesthetics/design and cultural resources. Both 4700 Freeport Boulevard and 4850 Freeport Boulevard have mid-20th century character-defining features and materials that we believe could be retained and integrated into the new Land Park Commercial project.

*A 501(c)(3) non-profit organization dedicated to promoting, preserving and protecting modern art, architecture and design in the Sacramento region.*

**Gretchen Steinberg** 4910 South Land Park Drive, Sacramento, CA 95822  
[gretchen@SacMod.org](mailto:gretchen@SacMod.org)  
[SacMod.org](http://SacMod.org)

## 4700 Freeport Boulevard/Proposed Project Site

The former Capital Nursery site at 4700 Freeport Boulevard was completed in November 1946.

### Capital Nursery Holds Open House In New Building

The Capital Nursery Company at 4700 Freeport Boulevard began a three day open house today in observance of the completion of the firm's new nursery and building program.

Three thousand plants will be presented to visitors at the affair. The nursery, which was started in 1936 by the late C. R. Armstrong, is owned by Charles G. and Eugene R. Armstrong, his sons.

The expanded business occupies an 11 acre site, with new display gardens which have a 300 foot frontage on Freeport Boulevard. The front elevation has been beautified through the use of Arizona sandstone, and the entrance to the gardens is an octagonal structure from which paths radiate.

The improvements include 45,000 square feet of lath house, a garden supply shop covering 1,600 square feet, a 1,000 square foot display greenhouse, an office building, and a parking area of 15,000 square feet. A paging system has been installed for use in calling customers during rush periods. Under this system their names will be called when a salesman is available.

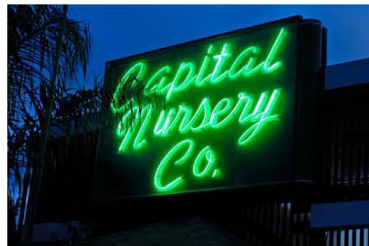


The above view shows a part of the front of the newly remodeled and expanded Capital Nursery Company at 4700 Freeport Boulevard, which is holding open house today, tomorrow and Sunday. The nursery is operated by Charles G. and Eugene R. Armstrong. Bee-Photo

^ Article from the Sacramento Bee, dated November 15, 1946.

It was designed by [Sacramento architect Leonard F. Starks, whose legacy firm still exists as Nacht & Lewis today](#). Capital Nursery's design included elements and materials such as an octagonal structure, Arizona sandstone bricks, wooden slats, and radiating pathways with lush landscaping. It also had a [green neon sign](#) with a design dating back to 1946 that contributed to the look and feel of the Freeport commercial corridor.

(Photo courtesy of HappyShooter, Flickr) >



SacMod Response to DEIR: Land Park Commercial

Page 2

Many neighbors have fond memories and recollections of the Capital Nursery site. [Authentic vintage footage showing Capital Nursery in the 50s can be seen in a YouTube video.](#) This nostalgia is not only for the site but also of the plants and trees folks took home to grow and thrive in their own yards and homes. Many of the landscapes, trees, and plants in our neighborhood are from Capital Nursery.



^ Advertisement, December 1950 Sacramento Telephone Directory, Pacific Bell Telephone and Telegraph Company

It is our understanding that the project applicant submitted new site drawings during the DEIR response period. Unfortunately, as of the time of this response, these new drawings were not posted on the City of Sacramento's website. This makes it difficult to provide comments on the most current plans, though we understand from the Sacramento Business Journal that: "The resubmitted application for 'The Park' at

6-1



4700-4900 Freeport Blvd., adds more bike and walking paths, a new bike entrance, and more outdoor patio space.... "But the general site plan as a shopping center is pretty much the same...." (Source: <http://www.bizjournals.com/sacramento/news/2016/09/09/plans-change-for-land-park-retail-center.html>)

We would like to see the proposed project harken back more to the Capital Nursery site's sense of place. This could be achieved through the adaptive reuse of some of the historic materials, colors, designs, look, and feel (e.g., reintegrating some of the original Arizona sandstone bricks).

#### **ANOTHER ALTERNATIVE FOR CONSIDERATION:**

We would also like to introduce another project alternative for consideration: incorporating a plant nursery / gardening section on the site between the new Raley's and existing residences. This is a permitted use under the current C-2 Zoning as delineated in the General Plan.

A dedicated plant nursery / gardening section around the back and sides of the proposed new store could also serve as a much-needed buffer zone between the adjacent residences in South Land Park — while beautifully meeting the needs of the surrounding community after the loss of Capital Nursery. There is much interest in drought-tolerant plants and edible gardens these days. It would be wonderful for Raley's to be a resource that fosters and encourages these consumer practices.

This solution would be a different alternative than those delineated in the DEIR. It would allow a buffer between the proposed project and the residences that would be much like what was there when Capital Nursery occupied the space — only at a smaller scale.

Essentially, we are suggesting that the footprint of the proposed site plan items labeled "Grocery - 55,000 SF," "Shops 1 - 9,282 SF," and "Tenant - 12,000 SF" on DEIR page 2-11 (Figure 2-4, Scheme A) could be relocated farther away from the South Land Park residences adjacent to the property line. The resulting space could be utilized for a plant nursery / garden section that would provide more distance and separation from the proposed project and the residences.

This solution would require adjustments to the design of the parking lot and reorientation of other structures, but still is a viable and workable solution that addresses several community concerns while still meeting the project's objectives. This alternative would also honor the heritage of the site, offer additional opportunities for placemaking, and create beautiful, healthy, community-oriented spaces.

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**4850 Freeport Boulevard/Current Raley's Site**

The current Raley's site was built in 1958 and includes a [vintage neon sign](#) designed by Electrical Products Corporation.



(Photo courtesy of HappyShooter, Flickr)



< Advertisement, August 1955 Pacific Telephone and Telegraph Company, Amador, El Dorado, Placer, Sacramento and Yolo County Telephone Directory.

Electrical Products Corporation (also known as "EPCO," "Eplo," and "Zeon" in various City records) was located at 2101 28th Street at the time the Raley's sign was built.

EPCO designed many other favorites in the City of Sacramento, including:

- the Sam's Hofbrau sign that was located at J & 17th;
- the original Tower Records "dancing kids" sign atop Tower Café;
- "Jugglin' Joe" from Gunther's Ice Cream, and;
- the Hollywood Hardware hammer on Freeport Boulevard.

Freeport Boulevard has historically been a commercial corridor and contains many of Sacramento's beloved neon signs. The lost Capital Nursery neon sign and the current Raley's neon sign have contributed to the corridor's authentic and vintage character.

The 1958 Raley's sign from 4850 Freeport should be protected and preserved. We commend the applicant for being amenable to and looking into this possibility. Ideally, the 1958 sign would be relocated if the proposed Land Park Commercial project is realized.

If it is not possible to move the 1958 sign, it should be preserved and the project should include a retro neon or neon-like sign to replace the loss of the Capital Nursery and Raley's vintage signs on Freeport Boulevard's neon corridor.

6-4

We are also attaching an interesting article from the Sacramento Bee dated January 7, 1959. At the time the store was built, it was known as "Hollywood Plaza Shopping Center." The article specifically mentions the original neon sign in the parking lot — as well as the store's original design features.

While SacMod is limiting its comments to aesthetics/design and cultural resources, we would like to acknowledge the concerns raised by neighboring communities and the City's Planning and Design Commissioners. These include, but are not limited to, concerns regarding: the need for a better buffer between the store and residences; re-orientation of the buildings to the street; ingress/egress issues; accessibility and safety for pedestrians and bicyclists; the scale and massing of the buildings; light; noise; and the proximity of the loading docks to residences. We are optimistic that the applicant will incorporate thoughtful solutions to these concerns into their next plans and drawings.

6-5

We also request that the City regularly update and post the most current project plans and drawings so that they may be readily viewed by the public during the open comment periods.

6-6

As the City of Sacramento focuses most of its attention on granting entitlements for new shopping centers, it is vitally important to remember those centers that are already established. Legacy businesses generate civic pride and are part of our community.

SacMod would like to see the better planning practices to ensure the integrity and survival of our already existing and struggling shopping centers near the proposed project. Examples include South Hills Shopping Center on South Land Park Drive and Florin West Center at Florin Road and South Land Park.

Additionally, we would like to see a comprehensive and articulated plan that addresses the anticipated vacancy at 4850 Freeport after Raley's moves.

6-7



SacMod commends Raley's for being a great neighbor all these years. We appreciate Raley's serving and supporting our neighborhood for several decades, well before occupying the current site at 4850 Freeport. We are very appreciative for the opportunity to provide constructive input and comments regarding the proposed Land Park Commercial Center project, and for the applicant's willingness to listen to the surrounding community.

6-8

The landscaping for the proposed project — as seen in an animated rendering on [YouTube dated July 27, 2016](#) — is a terrific and welcomed addition to the neighborhood. We also appreciate this video incorporating a neon sign that looks like the 1958 Raley's neon sign.

The site plan could be modified using design solutions that meet the project's objectives and needs of the surrounding community. We are happy to meet and discuss these ideas further.

6-9

Respectfully submitted,



Gretchen Steinberg, President, SacMod  
In conjunction with the SacMod Board of Directors:  
Dane Henas, Vice President  
Nick Vinciguerra, Secretary  
Zann Gates, Treasurer  
Justin Wood, Director At-Large  
Jon Hill, Director At-Large

[illegible]

Another new Raley's Supermarket at the Valley Drug Center will have their formal opening tomorrow at 4650 Fremont Boulevard, between Westworth Avenue and Phoenix.

They are the first units in a developing Hollywood Plaza Shopping Center. The center will consist of retail stores and service firms which will be operated under one management.

The opening of the Raley's drug store is considered by Sacramento firms as the first step in the last year initiated during a period known as the "retail boom." Concerns were soft pedaling fur-

a mortar and pestle according to the yellow wall.

The formal opening of the center was celebrated by the climaxes 24 years of operations by Raley in the Sacramento area. It was the first grocery store in Sacto-ville, El Dorado County, in 1917. The first pharmacy in food field in 1938 with a store at Stockton Boulevard.

The first Raley Drug Center was opened in Eldorado County, Calif., with the second coming a few months later in North Sacramento. These developments paved the way for future Raley development.

Other units in the new Hollywood Plaza Shopping Center include:

**Two Others Opened**

During that time, Thomas P. Raley, president of the local grocery chain, announced that he had acquired the rights to the two vacant buildings. He plans to open a large supermarket and a jewelry store in the Elkhorn Village between Broadview and Ryrie in Yolo County. The smaller venture is similar to that at 410 El Camino in North Sacramento. Scheduled for spring opening are a jewelry store and a clothing store on Sunset Avenue in Fair Oaks and at Mills Station on Folsom Boulevard.

The new Hollywood Plaza Shopping Center entrance on 50th Avenue just off Folsom, with Raley's Supermarket utilizing 50,000 square feet and Raley Drug Center an additional 12,000,

next month include Lawton's Department Store, Navier's Flower Shop, the ALC Fish Company, a branch of Carle's Lingerie and Dry Cleaning, a beauty salon, a barber shop, painting and landscaping services, a jewelry store and an optician's office.

The facility is the largest in the chain and replaces the Easley market which operated for years on Freerport Boulevard at Sottersville Road.

**Plate Glass Front**

The design is contemporary modern, featuring a wall of plate glass windows along the front with green face brick piers. A glass partition separates the market from the drug center, although there is a common entrance to both units.



**Building Features**  
Daylight fluorescence, a soft and pleasing pastel color scheme, wide aisles and the newest in reach in refrigerated food cases feature the supermarket.

The rear wall, back of the fresh and frozen meat departments, is in orange with whimsical illustrations of pigs, steers, lambs and poultry, as well as meat cuts.

The right wall back of the produce department is finished in four sections of orange, green, blue and yellow, with illustrations of

which occupies 12,000 feet. There are four out stands in the service store.

The market's produce ment, below, has 72 refrigerated cases 100 feet addition

various fruits and vegetables. The Produce Department has 72 feet of refrigerated produce cases, plus more than 100 feet for dry produce. Fresh meats require 52 feet of refrigerated cases and delicatessen items take

Frozen food cabinets, 8½ feet of them, stretch down the middle of the store on aisles five and six, with pour-

Aisle 10, on the south adjoining the drug center, is devoted to beverage and dairy products, with 16 door type refrigerated units and the balance a new type of four tiered, reach in cabinet shelving.

Just as the walls of the supermarket have light and airy illustrations of food-stuffs, so does the rear wall of the drug center carry out

the theme of that operation, with prescription bottles and,



A glass facade distinguishes the new Raley's Supermarket and Raley Drug Center at 4850 Freeport Boulevard, largest facility in the locally owned food and drug store operation. Complete prescription service is provided in the drug center, left. See Photos

An aerial, black-and-white photograph of a busy harbor. Numerous ships of various sizes are docked at piers or moving through the water. A large ship on the left is prominently labeled with the number '77'. Another ship in the lower right is labeled '9'. The harbor is filled with maritime activity, and the surrounding urban landscape is visible in the background.

Eighty-eight feet of easy reach in frozen food cases stretch down aisles five and six in the center of the supermarket, pictured below, with gourmet foods on shelves above.

**Letter 6****SacMod****Gretchen Steinberg, President**

**6-1** The comment is asking what changes have been made to the version of the site plan included in the Draft EIR. Since the Draft EIR was released for public review the project applicant has been working with WALK Sacramento and the Sacramento Area Bicycle Advocates (SABA) to address pedestrian and bicycle concerns regarding safe access to and through the project site. A summary of the changes made to the project since the Draft EIR was released is included in Chapter 2, Changes to the Draft EIR.

**6-2** The comment is requesting that the design of the project incorporate some of the former Capital Nursery's historic building materials (i.e., Arizona sandstone), colors, design and feel to capture the former sense of place created by Capital Nursery. As shown in the renderings provided in Chapter 2 of the Draft EIR, the project design includes stone veneer that is similar in look and color as Arizona sandstone. The commenter's desire to capture the former sense of place created by Capital Nursery is noted. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's request is noted and forwarded to the decision-makers for their consideration.

**6-3** The comment is suggesting the EIR include another project alternative for consideration that includes a plant nursery/gardening section along the western boundary of the project site, behind the proposed Raley's store.

CEQA requires that a reasonable range of project alternatives be considered that reduce, lessen or avoid any significant impacts created by the project. CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, Section 15126.6, subd. (a).) "The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The requirement has been fulfilled here; the Draft EIR examined a range of project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the project. The commenter's suggestion that another alternative be evaluated that does not appear to reduce, lessen or avoid any significant impacts created by the project is not required under CEQA. "Alternatives and mitigation measures have the same function – diminishing or avoiding adverse environmental

effects.” (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 403.) Here, the adoption of mitigation measures set forth in the Project EIR are sufficient to reduce all significant impacts to less than significant levels. Under CEQA then, the City has no obligation to consider the feasibility of the alternatives. (*Laurel Hills Homeowners Association v. City Council of City of Los Angeles* (1978) 83 Cal.App.3d 515, 521 (“*Laurel Hills*”); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4<sup>th</sup> 1490, 1507-1508 (*Sierra Club*).)

In addition, it is not clear from the comment if this nursery/gardening section would be a retail nursery or just a space created for a large garden. If the latter this raises a maintenance concern among other concerns associated with re-designing the project site.

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

- 6-4** The comment is expressing a desire that the existing Raley’s sign should be protected and preserved and asking if it can be re-located to the new store location. If the sign cannot be re-located the comment is requesting that a retro neon or neon-like sign be included for the new store.

The comment does not address the adequacy of the EIR; therefore, no response is required. However, Raley’s is still exploring the potential to re-locate the sign. If the sign is not relocated the concerns raised regarding preserving and protecting the sign as well as the design for the new sign are noted.

- 6-5** The comment reiterates comments raised at the Planning Commission/Design Review (PC/DR) hearing held earlier this summer. Specifically the comment notes the following concerns: need for a better buffer between the store and residences; re-orientation of the buildings to the street; ingress and egress concerns; accessibility and safety of pedestrians and bicyclists; scale and massing of the buildings; light; noise; and proximity of the loading docks to residences.

All of these concerns are either addressed in the Draft EIR or are design preferences that were raised at the PC/DR hearing and do not have any bearing on the adequacy of the analysis in the Draft EIR. The project applicant worked with City staff as well as WALK Sacramento and the Sacramento Area Bicycle Advocates (SABA) to address accessibility and safety issues for pedestrians and bicyclists. Through these discussions the site plan was revised to include a pathway for pedestrians and bicyclists adjacent to the west side of the driveway that accesses the project site

from Wentworth Avenue. This will enable bicyclists a safe way to access the retail uses without having to ride directly through the parking lot. The City has also eliminated on-street parking along the project frontage on Freeport Boulevard. This will help make it safer for bicyclists traveling south on Freeport Boulevard.

Information that addresses the scale and massing of the proposed buildings as well as project lighting is included in the Draft EIR in Section 4.1, Aesthetics. A detailed analysis of noise associated with both project construction and operation is included in Section 4.8. The air quality analysis (Section 4.2) and noise analysis both address concerns associated with proximity of residences to the proposed Raley's loading dock. Lastly, Section 4.10, Transportation addresses ingress and egress issues as well as on-site circulation.

- 6-6** The comment is requesting that the City regularly update its website to include current site plans. The most current site plans submitted by the applicant on September 8, 2016 are posted on the City's website and the City will keep the website updated as plans are further refined.
- 6-7** The comment is asking for a comprehensive plan that addresses the vacancy of the existing Raley's store. The comment does not address the adequacy of the EIR; therefore, no response is required. However, at this time the property owner is still looking for potential tenants to occupy the space if the project is approved and Raley's relocates. It is anticipated the building would be extensively remodeled for a future tenant.
- 6-8** The comment notes that they appreciate the opportunity to provide input on the project and for the applicant's willingness to listen to the interests of the community. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the comment is noted and forwarded to the decision-makers for their consideration.
- 6-9** The comment expresses an opinion that the site plan could be modified to meet the project objectives and needs of the surrounding community. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the project applicant team did meet with numerous neighborhood associations and organizations as well as members of the public during the design of the project and made several revisions to the site plan in response to public input.

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## Comment Letter 7



P.O. Box 22278 Sacramento CA 95822 - HollywoodPark95822.org - hpna95822@gmail.com

September 15, 2016

Dana Mahaffey, Associate Planner  
City of Sacramento, Community Development Department  
Environmental Planning Services  
300 Richards Boulevard, Third Floor  
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[dmahaffey@cityofsacramento.org](mailto:dmahaffey@cityofsacramento.org)

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LAND PARK COMMERCIAL CENTER PROJECT

Dear Ms. Mahaffey:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Land Park Commercial Center (LPCC) Project.

The Hollywood Park Neighborhood Association (HPNA) acts as the liaison for the Hollywood Park community with various government agencies, businesses and other organizations. Hollywood Park is a traditional Sacramento neighborhood established in the 1950s and is the neighborhood directly across Freeport Boulevard from both the current Raley's location and the proposed LPCC. The HPNA greatly appreciates Raley's commitment to contributing to and enhancing the communities surrounding its Freeport Boulevard flagship store. In general, the HPNA supports projects that encourage walking and bicycling and reduce vehicle trips, that enhance public safety and discourage crime, that contribute to giving the neighborhood a unique sense of place, and which preserve and enhance the history and character of the neighborhood.

The HPNA has reviewed the Draft EIR for the LPCC Project and offer the following comments to preserve and enhance the livability of Hollywood Park:

LPCC not consistent with City of Sacramento 2035 General Plan

The HPNA disagrees with the DEIR conclusions that the LPCC Project is consistent with intent of the 2035 General Plan (DEIR Executive Summary Page 2, Chap. 3, and Appendix K).

The proposed LPCC site is comprised of land directly adjacent to Freeport Boulevard designated as Urban Corridor Low (about 50% of the project area), and land not adjacent to Freeport Boulevard currently designated as suburban neighborhood low or suburban neighborhood medium. The project applicant is seeking redesignation of land so that the entire project site is designated Urban Corridor Low. The proposed layout of the buildings of the LPCC however is not consistent with the Urban Corridor Low guidelines, such as building façades and entrances that directly address the street and parking located to the side or behind buildings, or accommodated in parking structures. The proposed LPCC sites two small building (Buildings 3 and 4) adjacent to Freeport Boulevard; however, the grocery store, which will account for over 50% of the retail square footage of the project and likely generate much of the trips to the center, will be at the far interior of the project site and over 400 feet away from Freeport Boulevard,

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with a large parking lot in front of the grocery store. The siting of Buildings 3 and 4 in effect provides a way to circumvent the spirit of the Urban Corridor Low guidelines to allow the largest and most important building of the project (grocery store) and the project parking lot to be sited contrary to the guidelines. Additionally, the Floor Area Ratio of the proposed project at 0.3 is also at the minimum for Urban Corridor Low projects, and is actually lower (0.24) if not for the exception allowance for outdoor spaces. The HPNA requests that the City ensure that if land currently designated as suburban neighborhood low/medium is redesignated as Urban Corridor Low, then the use of such redesignated land should actually be consistent with the letter and spirit of the Urban Corridor Low designation and with the 2035 General Plan.

LU.2.7.4 recommends street-fronting uses to promote public safety and discourage crime. The proposed LPCC has two small buildings (Buildings 3 and 4) adjacent to Freeport Boulevard and one (Building 5) adjacent to Wentworth Ave; the grocery store will be over 400 feet away from Freeport Boulevard within the project site interior. Buildings 3 and 4 will block the view of the parking lot and the grocery store from the street. The grocery store will have a blocked view from the street and will not serve as “eyes on the street” and vice versa cannot be seen from the street. At night, the parking lot will be “walled off” from all sides. This does not seem to promote public safety and discourage crime. The HPNA recommends orienting the grocery store to be adjacent to and perpendicular to Freeport Boulevard along the north boundary of the project site, orienting Building 3 perpendicular to Freeport Boulevard with its entrance facing the driveway into the LPCC and visible from the street, and moving Building 2 to the interior of the site; see attached Figure 1. This will create better sightlines of the grocery store and parking lot from the street and vice versa.

LU.2.7.7 recommends that buildings engage the street. The proposed LPCC has two small buildings (Buildings 3 and 4) adjacent to Freeport Boulevard and one (Building 5) adjacent to Wentworth Ave. However, the grocery store, which accounts for over 50% of the proposed retail square footage of the LPCC and will likely account for the majority of visits to the LPCC, will be over 400 feet away from Freeport Boulevard. Furthermore, during the Planning and Design Commission meeting in June 2016, the developer indicated that tenants of the two proposed small buildings adjacent to Freeport Boulevard will have the option of having entrances facing the parking lot rather than facing Freeport Boulevard. The HPNA recommends exploring other alternative layouts of the buildings that would be more consistent with the spirit of the General Plan to engage and activate Freeport Boulevard. The grocery store, as likely the most active building in the project, should be oriented to be adjacent to and perpendicular to Freeport Boulevard along the north boundary of the project site, orienting Building 3 perpendicular to Freeport Boulevard along the driveway into the LPCC and visible from the street, and moving Building 2 to the interior of the site; see attached Figure 1. Entrances to the grocery store and Building 3 should face Freeport Boulevard either directly or at the building corners.

The HPNA is concerned that the proposed LPCC project will create another commercial center that is walled off from the street, does not interact or activate street, and create unsafe spaces not visible from the street such as at the Meadowview Plaza (on Meadowview Road and Freeport Boulevard within city limits) and the Florin Towne Center (on Florin Road and 65<sup>th</sup> Street in unincorporated South Sacramento).

#### Pedestrian, bicycle, and public transit access to LPCC

The existing Raley's store is 200 feet away from Freeport Boulevard and already presents a pedestrian or bicyclist with a long and potentially unsafe walk or ride across a large parking lot, although the current

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site does offer safer access from the side streets. The grocery store at LPCC is proposed to be along the west boundary of the project site, placing it over 400 feet away from Freeport Boulevard and presenting a pedestrian or bicyclist with an even longer and potentially unsafe trip across a large parking lot with no safer alternative access routes from side streets. The longer distances to be traveled by pedestrians and cyclists across the proposed LPCC parking lot will make shopping a more difficult experience for a pedestrian (especially while carrying grocery bags) and create many more negative interactions between vehicles and pedestrians or cyclists, suggesting that the grocery store is aimed at customers arriving by car. Additionally, while there is a public bus stop on Freeport Boulevard directly across the parking lot from the existing Raley's store, the nearest bus stops to the proposed LPCC project are about 400 to 600 feet north and south of the proposed entrance driveway to LPCC, which would result in adding an even longer walk for grocery store customers arriving by public transportation to shop at the LPCC.

According to the 2006 Sacramento Pedestrian Master Plan, the stretch of Freeport Boulevard adjacent to the proposed LPCC is a pedestrian street corridor that has high pedestrian demand, but also high pedestrian deficiencies and high pedestrian improvement need. The DEIR states that new sidewalks will be installed according to City standards along Freeport Boulevard and Wentworth Ave. Please provide details about the proposed design of the street-fronting sidewalks that will be installed. Please ensure that the sidewalks meet or exceed ADA requirements. Please ensure that the new sidewalks are consistent with the intent of the Sacramento Pedestrian Master Plan and we recommend pedestrian improvements at least at the "upgraded" level outlined in the Pedestrian Master Plan. We would also like to see more detail (such as a figure and description) on the conditions of approval regarding the reconfiguration of the traffic light and stop sign at Sheilah/Stacia and Wentworth on both sides of Freeport Boulevard.

The DEIR states that greenhouse gas emissions impacts are less than significant and no mitigation is required. However under Section 4.5-1, the City should require a re-evaluation of how the project can contribute to city or state efforts to meet AB 32 standards for reduction of greenhouse gas emissions by reducing automobile trips to the LPCC since the project location is served by bus, bike lanes, and is walkable and bikeable from several surrounding neighborhoods. The transportation survey should be used as a baseline to show current customers' transportation modes to the existing store, and then implement ways to increase pedestrian and bike transportation percentage by customers. There are significant improvements to the layout and access to the center that can impact pedestrian and bicycle access in a positive direction. As a specific example, bike access from a northbound direction needs to be addressed, and we recommend including a protected bicycle left turn lane either to Wentworth or to the Freeport Boulevard entrance driveway.

#### Preservation of existing Raley's neon sign

The Aesthetics chapter and Cultural Resources chapter mention that Notice of Preparation comments were received recommending that the vintage neon signage at the current Raley's location be relocated to the proposed LPCC to preserve the history and character of Freeport Boulevard and the adjacent communities. However, no details were provided to address if preservation of the sign will actually occur. The HPNA requests that the disposition of the historic neon sign be specifically addressed.

#### Need for Consideration of Other Alternatives

The Alternatives Analysis briefly discussed then dismissed one alternative site layout and considered only one other alternative site layout in more detail (Alternative 3). In Alternative 3, the grocery store is sited

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adjacent to and parallel with Freeport Boulevard, with the parking lot and smaller buildings behind the grocery store and out of view from Freeport Boulevard. In considering Alternative 3, the DEIR inaccurately generalizes that "the retail environment on Freeport Boulevard favors a more suburban design with parking in front of the buildings." Freeport Boulevard actually currently has many retail buildings that do not have parking in front of buildings, such as Chase, Bank of America, Marie Callender's, Taco Bell, King of Curls, Oto's, and Roberta's. Alternative 3 was found to meet most of the project objectives and most impacts would be similar to or less than those of the proposed project. The only impacts that would be more significant than the proposed project are the lack of fire access to the tenant building and more limited opportunities for implementing southbound right turn and northbound left turn to the project site. The proposed project sites the grocery store at the far west end of the project site while Alternative 3 sites it at the eastern edge of the project site, but there are other site layouts not considered.

The HPNA feels that the alternative that sites the grocery store along the north boundary of the project site (as we recommend in comments above, see attached Figure 1), adjacent to and perpendicular to Freeport Boulevard, was not fully vetted, and therefore, we request a more detailed consideration of such an alternative. Since Alternative 3 was found to have similar or less impacts than the proposed project, it is likely that the northern boundary alternative siting would have similar impacts with similar opportunities for mitigation. As stated in comments above, the northern boundary alternative would also be more consistent with the 2035 General Plan, will likely promote greater public safety, discourage crime, facilitate pedestrian and bicycle access, and allow more traffic mitigation options.

While the HPNA generally supports the LPCC project and greatly appreciates Raley's' commitment to the communities it serves, we remain less than enthusiastic with the current proposed project as considered in the DEIR. Thank you once again for the opportunity to comment. We look forward to working with all parties involved on this exciting project.

Sincerely,

Board of Directors  
Hollywood Park Neighborhood Association

cc: City Councilmember Jay Schenirer ( [jschenirer@cityofsacramento.org](mailto:jschenirer@cityofsacramento.org) )  
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County Supervisor Patrick Kennedy ( [kennedyvp@saccounty.net](mailto:kennedyvp@saccounty.net) )  
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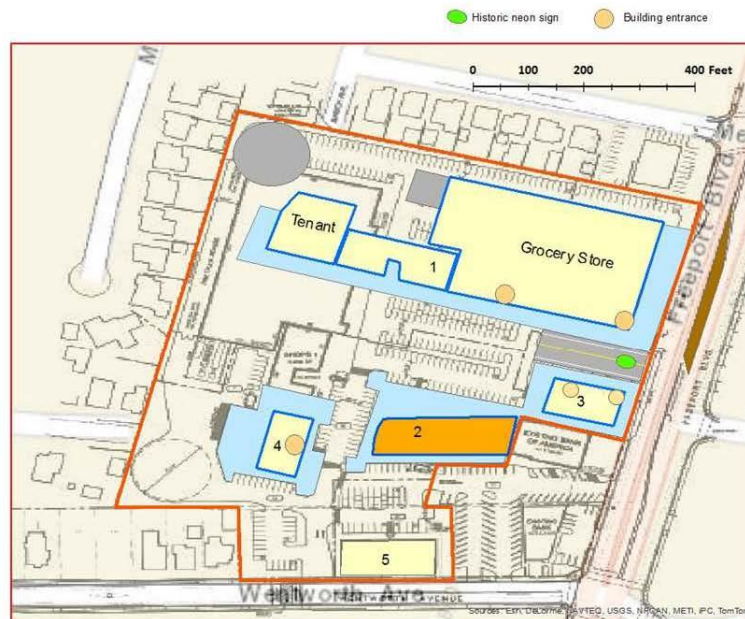


Figure 1: Alternative site layout of project buildings recommended by HPNA.

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## Letter 7

### Hollywood Park Neighborhood Association

- 7-1** The comment provides background on the Hollywood Park Neighborhood Association (HPNA) and its location relative to the project site. The comment indicates support for projects that encourage alternative modes of transportation and the resulting reduction in vehicle trips as a means to discourage crime and contribute to the history and character of a neighborhood. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is noted and forwarded to the decision makers for their consideration.
- 7-2** The comment is indicating the HPNA disagrees with the finding that the project generally meets the intent of the goals and policies included in the 2035 General Plan. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is noted and forwarded to the decision makers for their consideration.
- 7-3** The comment alleges that the project layout and location of proposed buildings is not consistent with the Urban Corridor Low designation because the (largest store) Raley's store is located at the western side of the project site and not adjacent to Freeport Boulevard.

The project's general consistency with the City's Urban Corridor Low designation is addressed in the Draft EIR on page 3-17 in Chapter 3, Land Use and Planning. As discussed in Chapter 3, the key urban design characteristics of the Urban Corridor Low designation include:

- Building heights generally ranging from two to six stories;
- Lot coverage generally not exceeding 70%;
- Building façades and entrances directly addressing the street;
- Buildings with pedestrian oriented uses such as outdoor cafes located at the street level;
- Attractive pedestrian streetscape, with sidewalks designed to accommodate pedestrian traffic, that includes appropriate landscaping, lighting, and pedestrian amenities/facilities;
- Public and semi-public outdoor spaces such as plazas, courtyards, and sidewalk cafes.

The proposed project incorporates the majority of the design features outlined above including building entrances oriented towards either Freeport Boulevard or Wentworth Avenue; an outdoor plaza and a courtyard area designed to provide places for people to gather; sidewalks, landscaping and lighting throughout the site to provide a safe and attractive environment for patrons; all of the project buildings would be less than six stories (Draft EIR pp. 3-17, 3-18).

In addition, as explained in Chapter 3, the consistency analysis provides the reader with a general overview of whether the project is in harmony with the overall intent of the City's 2035 General Plan goals and policies. It is within the City's decision makers' purview to decide if the proposed project is consistent or inconsistent with any applicable City goals or policies. The 2035 General Plan clarifies the role of the City in determining consistency as: "[t]he City, in its sole discretion, shall determine a proposed project's consistency with the City's General Plan. Consistency is achieved if a project will further the overall objectives and policies of the General Plan and not obstruct their attainment, recognizing that a proposed project may be consistent with the overall objectives of the General Plan, but not with each and every policy thereof" (City of Sacramento 2015, p. 1-2). The discussions in this Draft EIR represent the best attempt of City staff to advise the City Council of its opinions as to whether the proposed project is consistent with identified goals and policies of the City's General Plan. The project is consistent with the general intent of the Urban Corridor Low designation. The commenter's opinion that the project is not consistent with the Urban Low Corridor designation is noted.

- 7-4** The comment states that the project's floor area ratio (FAR) of 0.3 is the minimum allowable under the Urban Corridor Low designation and requests that the City should ensure any land redesignated as Urban Corridor Low be consistent with the "letter and spirit" of the land use designation and the city's general plan.

The City's General Plan allows outdoor operations such as dedicated plazas and outdoor seating areas to be factored into the project's overall FAR, so the project meets the required FAR for the Urban Corridor Low designation. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 7-5** The comment is recommending including street-fronting buildings to promote safety and discourage crime, consistent with general plan policy LU 2.7.4. The commenter feels the current site plan blocks views of Freeport Boulevard from the Raley's store and Shops 3 and 4 block views of the parking lot which will do little to promote public safety and discourage crime. The commenter recommends a new site configuration locating the Raley's store adjacent to and perpendicular to Freeport Boulevard.

The current site plan was designed with the intent to enhance public safety and minimize crime by eliminating areas that were protected and not visible. This was achieved by locating the Raley's along the west side of the project site to provide a buffer between the residences on Marion Court and to minimize parking areas and public areas that are immediately adjacent to residences. The project was designed to eliminate areas where people can meet in privacy. In addition, the interior of the site will be highly visible and well-lit at night. Public safety was further enhanced by installing a new traffic signal at Meer way. This will enhance public safety by creating a signalized intersection with a signalized cross walk. Lastly, the City's police department has reviewed the project design and has provided input to enhance public safety, per Policy LU 2.7.4. In furtherance of the police department's suggestions, the project includes a variety of lighting to enhance safety and to discourage crime. In addition, the area behind the Raley's store (west) would be gated to prohibit access. The project has been designed consistent with the intent of Policy 2.7.4; however, it is within the City's decision makers' purview to decide if the proposed project is consistent or inconsistent with any applicable City goals or policies. As noted in Chapter 3 of the Draft EIR, consistency with the general plan policies is achieved if a project will further the overall objectives and policies of the General Plan and not obstruct their attainment, recognizing that a proposed project may be consistent with the overall objectives of the General Plan, but not with each and every policy thereof. "(City of Sacramento 2015, p. 1-2).

Please see Response to Comment 7-14 for more information on the commenter's proposed site plan.

- 7-6** The commenter does not feel the project meets the intent of Policy LU 2.7.7, which recommends buildings engage the street because the Raley's store would be located over 400 feet from Freeport Boulevard.

Policy LU 2.7.7 states "the City shall require buildings to be oriented to and actively engage and complete the public realm through such features as building orientation, build-to and setback lines, façade articulation, ground-floor transparency, and location of parking." Consistent with this policy, three of the project's seven buildings are located adjacent to Wentworth Avenue and Freeport Boulevard to engage the street. The project also includes trees throughout the parking lot, as shown in Figure 2-6 (see Draft EIR Chapter 2), which would help screen views and reduce the visual prominence of the parking lot. In response to concerns raised at the Planning Commission/Design Review hearing, the smaller Shops located adjacent to Freeport Boulevard and Wentworth Avenue will allow dual entries from the street as well as from internal to the site. Please see also Response to Comment 7-5.

- 7-7** The comment recommends exploring other site configurations that would be more in the “spirit of the General Plan to engage and activate Freeport Boulevard.” The comment suggests this could be achieved by re-orienting the buildings closer to Freeport Boulevard, as shown in the figure attached to the comment letter.

Please see Responses to Comments 7-6 and 7-14 that address these concerns.

- 7-8** The comment is expressing concern that the project as currently designed will create a commercial center that does not interact with or activate the street, and create unsafe areas where crime could occur.

As indicated in Response to Comment 7-5, the City’s police department has reviewed the project design and has provided input to enhance public safety and the project includes a variety of lighting to enhance safety and to discourage crime. In addition, the area behind the Raley’s store (west) would be gated to prohibit access. Please see Response to Comment 7-6 that addresses engaging the adjacent streets.

- 7-9** The comment is concerned about the safety of pedestrian and bicycle access through the project site from Freeport Boulevard and the distance to the closest bus stop.

The project applicant has worked with WALK Sacramento and the Sacramento Area Bicycle Advocates (SABA) on access for pedestrians and bicyclists. As shown on Figure 2-6 in Chapter 2 of the Draft EIR, the project includes a separated sidewalk from Freeport Boulevard to the Raley’s store as well as another pedestrian/bike pathway adjacent to the west side of the driveway from Wentworth Avenue. Both of these sidewalks/pathways as well as crosswalks (on Wentworth Avenue and internal to the site) provide safe access for pedestrians into and throughout the project site.

The closest bus stops to the project site are located south of Meer Way (southbound) and north of Meer Way (northbound). Regional Transit has not indicated more bus stops are planned in the vicinity of the project site.

- 7-10** The comment is requesting additional information be provided on the proposed sidewalks along Freeport Boulevard and Wentworth Avenue to be replaced as part of the project and is requesting the sidewalks meet or exceed ADA requirements. The comment also requests more detail on the City’s Conditions of Approval regarding the new traffic light at Meer Way and stop signs at Sheilah/Stacia Way and Wentworth Avenue on both sides of Freeport Boulevard.

Details of the proposed sidewalks along Freeport Boulevard and along Wentworth Avenue are included in the revised plan for the project, as resubmitted on September



8, 2016 (available on the City's website <http://www.cityofsacramento.org/Community-Development/Planning/Major-Projects>). The sidewalks would meet or exceed ADA requirements, as required by City regulations. These improvements are consistent with the intent of the City's Pedestrian Master Plan.

Regarding the traffic signal modifications at the Freeport Boulevard intersection with Wentworth Avenue / Stacia Way, please refer to Response to Comment 9-6. No change to the stop sign configuration of Shielah Way is proposed.

- 7-11** The comment is requesting the City require an evaluation of how the project can reduce vehicle trips by using a transportation survey that identifies how current Raley's shoppers access the store in order to increase alternative modes of travel. The comment does not raise issues regarding the adequacy of the EIR or physical effects on the environment therefore no further response is required. The comment is noted and forwarded to the decision makers for their consideration.
- 7-12** The comment requests that information be provided pertaining to whether the existing Raley's sign would be preserved. The comment does not address the adequacy of the EIR; therefore, no response is required. However, Raley's neon sign will be incorporated into the project design at the location identified on the site plan as "Pylon Sign."
- 7-13** The comment notes that the Draft EIR only considers one alternative site plan (alternative 3) and disagrees with the statement in the Draft EIR that the retail environment along Freeport Boulevard favors a more suburban design. The commenter also believes alternative 3 meets most of the project objectives and notes that other site plans were not considered.

The alternatives analysis included in Chapter 5 of the Draft EIR and as noted on page 5-4, different site configurations were evaluated including locating the Raley's store adjacent to Freeport Boulevard and the northern boundary of the project site (perpendicular to Freeport Boulevard) and locating the Raley's store parallel to Freeport Boulevard with shops located in the western portion of the site. The alternative site plan to locate the Raley's store adjacent to the northern boundary of the site was determined not suitable because it would create a longer route for delivery trucks which would create more noise for adjacent residences to the west; would not allow for more smaller freestanding shops to be included; and would eliminate the ability to create a left turn from Freeport Boulevard. This design was determined to not be economically feasible and was dismissed from further evaluation.

Regarding the comment that the retail environment along Freeport Boulevard favors a more suburban design, this statement is correct. The stretch of Freeport Boulevard from Sutterville Road to Fruitridge Road to the south includes four retail plazas on the east side of Freeport Boulevard along with a small retail uses located to the north of the project site, the existing Raley's store, adjacent Rite Air retail plaza and a smaller retail plaza located along the west side of Freeport Boulevard that all represent more traditional suburban design with parking in the front. The commenter is correct there are some individual retailers, noted in the comment, that do not provide parking in the front of the store, however, it is correct to say that the existing retail environment favors a more suburban design.

In regards to the desire to see other site plans evaluated, CEQA requires that a reasonable range of project alternatives be considered that reduce, lessen or avoid any significant impacts created by the project. CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, Section 15126.6, subd. (a).) The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. Moreover, "alternatives and mitigation measures have the same function – diminishing or avoiding adverse environmental effects." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 403.) Here, the adoption of mitigation measures set forth in the Project EIR are sufficient to reduce all significant impacts to less than significant levels. Under CEQA then, the City has no obligation to consider the feasibility of the alternatives. (*Laurel Hills Homeowners Association v. City Council of City of Los Angeles* (1978) 83 Cal.App.3d 515, 521 ("Laurel Hills"); *Sierra Club v. County of Napa* (2004) 121 Cal.App.4<sup>th</sup> 1490, 1507-1508 (*Sierra Club*).)

CEQA's requirements have been fulfilled here; the Draft EIR examined a range of project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the project. The City Council has the final discretion to select a project alternative in lieu of the project.

- 7-14** The comment indicates support for a site plan that locates the Raley's store along the northern boundary of the site and is requesting a more detailed consideration of this alternative site plan. (A copy of this alternative site plan is attached to the comment letter.) The commenter goes on to state that this site plan would be more consistent with the City's General Plan, would likely promote better public safety, discourage crime and facilitate better pedestrian and bicycle access.

The project applicant evaluated numerous different site configurations during design of the project. This included a site plan that located the Raley's store perpendicular to Freeport Boulevard adjacent to the northern boundary of the site. As noted in Response to Comment 7-13, this site plan was dismissed from further consideration because it would create more challenges for delivery trucks resulting in more potential disturbance to adjacent residences to the west and would create difficulty in creating a left turn from Freeport Boulevard. The site configuration provided by the commenter appears to locate the main entrance to the Raley's store from the south, leaving the store façade facing Freeport with architectural limitations that would do little to engage Freeport Boulevard, similar to the challenges faced by Oto's Market further to the south. This site plan would also result in extending the driveway for delivery trucks to access the loading docks behind the Raley's store resulting in the potential for more noise and disturbance to residences located to the west and the creation of a "dead zone" where truck access needs to be maintained. It also appears from the site configuration provided by the commenter that the Raley's store has been reduced in size and the distance to the driveway from the edge of the project site is not adequate. In order to allow a left turn from Freeport Boulevard the driveway needs to be located approximately 70 feet from the edge of the project site, heading south on Freeport Boulevard. The applicant determined that this site configuration was not feasible and would result in design challenges that were solved with the current proposed plan.

To the extent commenter is suggesting the City consider a new project alternative, CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, Section 15126.6, subd. (a).) "The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The statute does not demand what is not realistically possible given the limitation of time, energy, and funds. 'Crystal ball' inquiry is not required." (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; see also CEQA Guidelines, Section 15126.6, subd. (f)(3).)

Indeed, as stated by the court in *Village of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1028, although there may be "literally thousands of 'reasonable alternatives' to the proposed project . . . 'the statutory requirements for consideration of alternatives must be judged against a rule of reason.'" (*Ibid.*, quoting *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 910.) "Absolute perfection is not required; what is required is the production of information sufficient to permit a

reasonable choice of alternatives so far as environmental aspects are concerned.” (*Id.*, at p. 1029.) The requirement has been fulfilled here; the EIR examined a range of project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the project.

- 7-15** The comment notes that the HPNA generally supports the project and looks forward to continuing to work with the applicant on the project, but are “less than enthusiastic” about the current project as proposed. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is noted and forwarded to the decision makers for their consideration.



**PO Box 22903 Sacramento, CA 95822**

September 15, 2016

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

Re: Land Park Commercial Center Draft EIR

Dear Ms. Mahaffey:

The South Land Park Neighborhood Association (SLPNA) is a nonprofit comprised of dues-paying residents and businesses from Sutterville Road to Florin Road, and Interstate to Freeport Blvd. Approximately 13,000 residents live in this area. SLPNA surveyed its membership in August 2016 to seek member input on the proposed Land Park Commercial Center. Our membership and our Board of Directors is generally supportive of the plan.

8-1

However, our Board strongly encourages the developer and the City to ensure that the proposal is consistent with the recommendations contained within the Freeport Boulevard Master Plan. Much time, research, and money was spent developing the Master Plan, and it addressed myriad issues including neighborhood aesthetics, parking, landscape, streetscape, signage, traffic, public safety, pedestrian and bicyclist safety, etc. for the corridor, including the area of the proposed commercial center.

8-2

Sincerely,

Board of Directors  
South Land Park Neighborhood Association  
[www.slpna.org](http://www.slpna.org)

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## Letter 8

### South Land Park Neighborhood Association

**8-1** The comment indicates that the South Land Park Neighborhood Association (SLPNA) surveyed its membership in August 2016 to get input from their members on the project and the response was generally supportive of the project. The comment does not raise issues regarding the physical effects on the environment therefore no further response is required. The comment is noted and forwarded to the decision makers for their consideration.

**8-2** The comment encourages the applicant and the City to ensure that the proposed project is consistent with the recommendations included in the Freeport Boulevard Master Plan.

The Freeport Boulevard Master Plan was adopted by the City in 2004 and includes recommendations for streetscape improvements, signage, and pedestrian and bicycle access. This plan only makes recommendations and does not specify the minimum width requirement for these improvements. The Freeport Boulevard Master plan has been superseded by the City's pedestrian friendly street standards.

The City's 2035 General Plan designates Freeport Boulevard as a 4-lane arterial roadway. The City's pedestrian friendly street standards includes bike lanes, sidewalks and planters consistent with the recommendations set forth in the Freeport Boulevard Masterplan.

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## Comment Letter 9


**SACRAMENTO AREA  
BICYCLE ADVOCATES**

909 12th St, Ste. 116  
Sacramento, CA 95814

[sacbike.org](http://sacbike.org)  
[saba@sacbike.org](mailto:saba@sacbike.org)  
916 444-6600

September 15, 2016

Dana Mahaffey, Associate Planner  
City of Sacramento, Community Development Department  
Environmental Planning Services  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811-0218  
[dmahaffey@cityofsacramento.org](mailto:dmahaffey@cityofsacramento.org)

Subject: Draft Environmental Impact Report (DEIR) for the Land Park Commercial Center (P15-048)

Dear Ms. Mahaffey:

Thank you for the opportunity to comment on the subject DEIR. We are pleased to see that the applicant is proposing to intensify land uses along the important commercial corridor of Freeport Boulevard. The proposed project site is immediately surrounded by residential neighborhoods; residents of these neighborhoods should be provided excellent walking and biking access to the site to encourage them to use those modes to travel to and from the commercial center. Such encouragement will help the City achieve its Climate Action Plan goals as well as mitigate the traffic impacts of the project.

9-1

The standard of significance for the project's impacts on bicycle facilities is whether it will "fail to adequately provide for access by bicycle." Adequacy of bicycle access has 3 dimensions as discussed in the following sections:

**Bicycle Parking.** The proposed project will provide adequate numbers of long- and short-term bicycle parking spaces as stated in Table 2-1. Figure 2-6 shows that the bicycle parking will be distributed at 7 different locations near each of the project's businesses. We agree with the recommendation in Section 4.10.5 of the DEIR that the "bicycle parking should be distributed throughout the project site to serve individual merchants and shall be prominently located to increase bicycling visibility."

9-2

**Bicycle Access on the Project Site.** The project description in the DEIR states that bicycle access on the project site will be "provided on all internal driveways". We believe that sharing two entrance-and-exit driveways with vehicles will not be inviting to the many people of all ages and abilities who could otherwise bicycle from surrounding neighborhoods if they felt comfortable. Therefore we agree with the recommendation in the DEIR's Section 4.10.5 that "the site plan should be modified to provide clear bike paths/lanes from Freeport Boulevard and Wentworth Avenue to (at a minimum) the Grocery/Shops complex." This goal must be accomplished with some type of separated accommodation, such as a bike lane or bike-only path, and not by forcing bike traffic onto sidewalks being used by pedestrians who are carrying groceries and pushing grocery carts.

9-3

Figure 2-6 shows that an additional point of bicycle access will be provided from southbound Freeport Boulevard at the northeast corner of the project site. We strongly support this element of the project, as it will provide an alternative entrance into the center for bike traffic and thus reduce the incidence of collisions between bike traffic and vehicle traffic turning right off southbound Freeport Blvd. into the main driveway. Failing to provide this feature would increase the risk of collisions in the main driveway and either completely discourage people from riding a bike to the center or encourage bicycling on the sidewalk, thus endangering pedestrians, as people on bikes sought to avoid conflicts with right-turning vehicle traffic.

9-4

Bicycle Access to the Project Site. The most difficult access to the project site for bicyclists will be crossing Freeport Boulevard from Hollywood Park and the neighborhoods east of the project site. We appreciate the Conditions of Approval stated on page 2-38 of the Project Description and that the project applicant has agreed to these conditions:

1. Installation of a new traffic light at Freeport Boulevard and Meer Way. This new traffic signal will greatly assist movements of bicycles across Freeport Boulevard from neighborhoods to the northeast. We request more information about this signal: Would it allow all turning movements or only certain movements by vehicles? We request that enhanced crosswalks be added to warn vehicle operators of the possible presence of pedestrians and bicyclists. We also request advanced signaling for pedestrian and bicyclist movements across Freeport to lessen conflicts with vehicle movements.
2. Modification of the traffic signal phasing at Freeport Boulevard and Wentworth Avenue/Stacia Way. We request more information about what these modifications would be: Could they also include enhanced crosswalks and advanced signaling for pedestrians and bicyclists to make the longer-than-typical crossing of Freeport Boulevard?

9-5

9-6

Section 4.10.5 of the DEIR discusses Vehicle Miles Traveled (VMT) expected to be generated by the project. Table 4.10-27 states that the Average Daily Vehicle Trip Length to the project is estimated to be 4.5 miles and the Percent Person Trips by Auto is estimated to be nearly 90% to the project. The short expected trip lengths show the great potential for customers to use bicycles to access the project site if they have comfortable and safe conditions in which to ride. We encourage the City and the project applicant to work together to continue to enhance bicyclist-friendly conditions for access to the project site. Such enhancement will further reduce the tendency of customers to drive to the project, further enhancing the City's ability to meet its Climate Action Plan goals.

9-7

SABA works to ensure that bicycling is safe, convenient, and desirable for everyday transportation. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

Thank you for considering our comments.

Sincerely,



Jordan Lang  
Project Analyst

CCs: Paul Philley, SMAQMD ([pphilley@airquality.org](mailto:pphilley@airquality.org))  
Jennifer Donlan Wyant, Sacramento Alternative Transportation Program Specialist  
([JDonlonWyant@cityofsacramento.org](mailto:JDonlonWyant@cityofsacramento.org))

## Letter 9

### Sacramento Area Bicycle Advocates Jordan Lang, Project Analyst

- 9-1** The comment is noting that the project is located in an area of the City that is conducive to walking and biking. The comment does not address the adequacy of the EIR; therefore, no response is required.
- 9-2** The comment notes that the project is proposing to provide an adequate number of short and long-term bicycle parking spaces and they agree with the recommendation that the bicycle parking should be located throughout the site. As noted on page 2-17 in Chapter 2, Class I parking would be provided by 11 secure bike lockers with an additional 57 bike spaces provided in bike racks throughout the project site.
- 9-3** The comment is recommending that the project include bike path/lanes from Freeport Boulevard and Wentworth Avenue to the proposed Raley's store and is requesting that this be designated as a bike lane or bike path and not a sidewalk shared with pedestrians.

Since the Draft EIR was released the project applicant has worked with SABA to identify safe access to the project site from both Freeport Boulevard and Wentworth Avenue. To this end as shown in the revised site plan included in Chapter 2, Changes to the Draft EIR, a separated pathway has been provided adjacent to the project driveway off of Wentworth Avenue. This will provide direct access for bicyclists to the Raley's store and adjacent shops. However, this pathway will also be shared with pedestrians. The applicant also proposed dedicated bicycle access to the project site from Freeport Boulevard; however, due to safety concerns the City has removed the right-turn only lane into the project site from Freeport Boulevard. The City will eliminate on-street parking on Freeport Boulevard along the project frontage which will make it safer for bicyclists heading south. Bicycles traveling along Freeport Boulevard heading south will have access to a bike lane along Freeport Boulevard, but will need to enter the project site using the main project entrance. Once in the project site bicycles do not have a dedicated lane to access the Raley's store or shops. For bicyclists heading north on Freeport Boulevard the safest access to the project site would be via the light at Wentworth Boulevard in order to avoid using the proposed unsignalized left turn into the project site from Freeport Boulevard.

- 9-4** The comment is referring to Figure 2-6 in the Draft EIR that shows an additional point of access for bicycles would be provided in the northeast corner of the site for southbound bicycle access. The commenter supports the inclusion of this additional

bicycle access and notes that not including this access would increase the risk of potential bicycle and vehicle conflicts at the Freeport Boulevard driveway.

The access point at the northeast corner of the site would be limited to only a connection to the sidewalk. No direct connection to the proposed bike lane would be provided as previously noted on Figure 2-6 in the Draft EIR. The main driveway into the site has been planned to accommodate both motor vehicles and bicyclists safely. The design includes a width of 30 feet, and a tight radius at Freeport Boulevard to keep motor vehicle and bicycle speeds low (and similar). Bicycles entering the site will not conflict with southbound vehicles (through and turning) on Freeport Boulevard. Chapter 2, Changes to the Draft EIR includes the revised Figure 2-6.

- 9-5** The comment is asking if the new traffic signal at Meer Way would allow all turning movements and requests that enhanced crosswalks be included and advanced signaling be provided as well.

With the installation of a traffic signal at the intersection of Freeport Boulevard and Meer Way, all traffic turning movements would be permitted. Specific details concerning the crosswalks and signal timing / design have not been established at this time. However, the design and implementation would consider the safety of pedestrians and bicyclists, and would be subject to approval by the City's Traffic Engineer.

- 9-6** The comment is requesting more information be provided regarding the proposed modification to the traffic signal phasing at the Freeport Boulevard/Wentworth Avenue/Stacia Way intersection and is asking if enhanced sidewalks and advanced signaling be provided.

At the current time (existing conditions), both the eastbound Wentworth Avenue and westbound Stacia Way approaches proceed at the same time in a single traffic signal phase. Eastbound and westbound left turns are "permissive", which means that left turns are made in conflict with opposing traffic. As left-turn drivers concentrate on safely turning left versus opposing traffic, they may not pay adequate attention to pedestrians crossing Freeport Boulevard during the same traffic signal phase. This issue was raised in comments to the Notice of Preparation and during public meetings concerning the project.

The revised signalization at this traffic light would use "split phasing" for the eastbound and westbound approaches. Each approach would proceed independently, without opposing traffic movements. When the eastbound movement proceeds only the crosswalk across the south leg of the intersection would be active. When the westbound movement proceeds only the crosswalk across the north leg of

the intersection would be active. In this manner left turning vehicles would not cross active crosswalks. Specific details concerning the crosswalks and signal timing / design have not been established at this time. However, the design and implementation would consider the safety of pedestrians and bicyclists, and would be subject to approval by the City's Traffic Engineer.

- 9-7** The comment is encouraging the City and the project applicant to continue to work together to enhance bicycle friendly access to help the City continue to meet its Climate Action Plan goals.

As noted by the commenter, there is opportunity to increase the non-automotive mode share of the project, through enhanced pedestrian and bicycle accessibility. The conditions of approval listed in the Draft EIR and other mitigation measures will contribute to this change, resulting in a further reduction in vehicle miles traveled.

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## Comment Letter 10

Community Development  
Department

FEB 09 2016

RECEIVED

February 6, 2016

Dana Mahaffey, Associate Planner  
City of Sacramento Community Development Dept.  
Environmental Planning Services  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, CA 95811-0218

Re: Questions/Concerns about the proposed Raley's  
Development on Freeport Blvd. at the previous  
site of Capitol Nursery

Dear Ms. Mahaffey:

My wife and I own a house and residential lot  
at 2020 Meer Way. Our property abutts the  
Capitol Nursery property on the north side near  
the intersection of Meer Way and Freeport Blvd.  
We have lived in our home for approximately  
39 years.

The proposed development of the Capitol Nursery  
site from a retail nursery with limited hours  
of operation into a 55,000 square foot retail  
grocery store and several adjacent or nearby

(1)



shops of varying size (6,000 sq. ft. to 12,000 sq. ft.) raises questions and concerns for us.

#### Questions and Concerns:

1. We would appreciate being notified of any future meetings regarding the project. We attended the meeting at Eskaton, but were unable to attend the December 2, 2015 meeting at Cal. Middle School. 10-1
2. Capitol Nursery was only open until 6pm. with no nighttime operation. The nursery had limited parking in front next to Freeport Blvd. No lights on at nighttime. 10-2
3. The use and enjoyment of our backyard will be impaired by the lights and noise from Raley's parking lot at night. A tall solid fence/wall of at least 12 to 14 feet will be needed to block the lights, noise and smell of food cooking from any restaurants in the parking lot. (I don't think the 8 foot wall Raley's has at its current site on Freeport Blvd. between its back lot and Linton Pike Way is sufficient.) 10-3

(2)



4. Where will Raley's employees and the other proposed tenants park? The homeowners of Meer Way will probably have to get permit parking in order to park in front of our homes.

10-4

5. The plan shows a dumpster behind our backyard fence. This should be relocated to avoid smell from dumpster and the noise caused by emptying the dumpster.

10-5

6. We are concerned of increased pollution from the 439 parking stalls for the proposed site - Again, affecting our use and enjoyment of our backyard.

10-6

7. Access to proposed Raley's site. Going North on Freeport Blvd., you can only enter the Capitol Nursery/proposed Raley project by making a U-turn at Freeport Blvd. and Meer Way. Unless the median on Freeport Blvd. is eliminated, traffic at Meer Way + Freeport Blvd. intersection will be problematic for the residents on Meer Way and the traffic flowing South on Freeport Blvd.

10-7

(3)

8. The proposed plan shows the entrance to the loading dock on Wentworth. What time of day will loading take place. From the neighbors residing by current loading dock, loading takes place all hours of night and day.
9. A great concern of the homeless using the parking lot and benches/tables to camp out at night.
10. Also, a concern of noise by sweepers cleaning the parking lot.
11. We frankly would prefer an infill residential development more in line with the surrounding residential properties.

10-8

10-9

10-10

10-11

Thank you for your time and consideration.

Sincerely,

Kurt Pedersen 2020 Meer Way, Sacto Ca 95822

Susan Pedersen 916-456-2583

cc: Steve Hansen, Council Member

5<sup>th</sup> Floor, New City Hall

915 I Street

Sacramento, Ca 95814

(4)

## Letter 10

### Kurt and Susan Pedersen

- 10-1** The comment is requesting to be notified of any future meetings. The City will include the Pedersens on the City's mailing list and will notify them of any upcoming meetings or hearings on this project.
- 10-2** The comment is noting that the former Capital Nursery was open until 6 p.m. with no evening hours and that limited parking was provided and no lights were on at night. The comment does not address the adequacy of the EIR; therefore, no response is required.
- 10-3** The comment is alleging that they will not be able to use and enjoy their backyard due to the noise and lights from the proposed Raley's store. The comment goes on to state that a solid 12 to 14-foot-tall wall would be needed to block lights, noise and the smell of food.

As described starting on page 2-13 in Chapter 2, Project Description, there would be an 82-foot setback and a 10 to 12-foot-high masonry wall along the northern boundary of the project site with trees planted adjacent to the wall. The commenter's residence located at 2020 Meer Way would back up to the proposed parking lot. As discussed starting on page 2-17 in Chapter 2, project lighting would include building lights and parking lot lights. All lighting would conform to the City's General Plan policy 6.1.12, which requires lighting be "shielded and directed downward to minimize impacts on adjacent residential uses." Parking lot and driveway lighting would use pole-mounted, multi-head fully shielded fixtures approximately 25-feet tall (similar in height to the existing Raley's parking lot light fixtures). The pole placement would provide security lighting throughout the site and fixture heads would be shielded to avoid light spillage into adjacent properties. The 10-12-foot tall walls along the north side of the project site would not be high enough to physically block the parking lot lights, but the lights would be shielded and focused downward so as not to cast light beyond the project boundary.

Noise associated with project construction and operation was evaluated in Section 4.8, Noise. Particular attention was paid to noise associated with parking lot activities and the potential to disturb neighbors located adjacent to the northern boundary of the project site. As discussed under Impact 4.8-3 on page 4.8-20, the proposed 10 to 12-foot high masonry wall along the northern property boundary would reduce this noise level to 48 dBA at the adjacent residential properties. Noise from parking lot activity would fall below the most restrictive level of the City's exterior noise standards (Section 8.68.060 of the Municipal Code), which limits exterior noise levels

at residential properties to 50 dBA (from 10 p.m. to 7 a.m.). The store hours of operation would be from 6 a.m. to 11 p.m., seven days per week.

The wall would not block odors from restaurants that may lease space in the center. As shown on the site plan (see Figure 2-3 on p. 2-7), the closest retail space to 2020 Meer Way would be Shops 4, located adjacent to Freeport Boulevard in the northeast corner of the site. Odors from restaurants are not typically considered by the City to be incompatible with residential uses and are allowed within the existing and proposed land use designations and zoning. Odor impacts were evaluated in Section 4.2, Air Quality, under Impact 4.2-5. As noted on page 4.2-26, the project does not contain any uses that have been identified by SMAQMD as potential sources of objectionable odors and the project would have a less than significant impact associated with objectionable odors.

- 10-4** The comment is asking where the Raley's employees and the other proposed tenants will park. Currently, Raley's employees park in the Raley's parking lot and it is anticipated this would not change with the new store. Raley's employees as well as the other tenants would be asked to park in the northwest corner of the site in order to leave the majority of the parking available for customers.
- 10-5** The comment is asking that a dumpster proposed behind their residence be relocated to avoid odors and noise associated with trash removal. The proposed site plan is shown on Figure 2-3 on page 2-7 in Chapter 2. As shown on the figure the closest trash and recycling container is located on the north side of the Shops 4 building. The trash and recycling containers would be contained within a 10-foot by 18-foot space enclosed within a 6-foot-high concrete block wall (Chapter 2, p. 2-14). The closest trash and recycling container is located approximately 60 feet from the proposed wall behind the residence located at 2020 Meer Way. The commenter's desire to relocate this trash and recycling container is noted.
- 10-6** The comment is expressing concern that pollution from the parking lot would affect the use and enjoyment of their back yard. The increase in air pollutants associated with project construction and operation was evaluated in Section 4.2, Air Quality. As discussed under Impact 4.2-3 on page 4.2-24, emissions associated with vehicle traffic, use of landscaping equipment, and use of gas appliances was modeled to determine if operation of the project would exceed the air district's thresholds for specific air pollutants. As shown in Table 4.2-6 on page 4.2-15, the project would not exceed the air district's acceptable thresholds and the air quality impact is less than significant.

- 10-7** The comment states that access to the proposed project site heading north on Freeport Boulevard would be to make a U-turn at Freeport Boulevard/Meer Way unless the median along Freeport Boulevard is removed. The comment also notes this will be problematic for residents on Meer Way and vehicles traveling south on Freeport Boulevard.

As shown on the site plan (Figure 2-3 on page 2-7 in Chapter 2), the project is proposing to create a dedicated left turn and U-turn lane for vehicles traveling north on Freeport Boulevard. This would be accomplished by providing a turn lane through the median. In addition, as a condition of project approval the project would install a traffic light at Freeport Boulevard and Meer Way to create a safe crossing for pedestrians. These modifications should address the commenters concerns. In addition, the traffic signal phasing at the intersection of Freeport Boulevard with Wentworth Avenue/Stacia Way would be modified to improve pedestrian crossing of Freeport Boulevard.

- 10-8** The comment asks what time deliveries to the Raley's store would occur and adds that "loading takes place all hours of night and day" on the existing Raley's site. As described on page 2-14 of Chapter 2, the loading area for the Raley's grocery store would include a depressed loading dock that includes two truck bays for larger trucks and a compactor. The loading dock would be recessed 4-feet on the southern side of the building. To minimize noise, the loading dock would be screened with a 12-foot-high masonry wall separating the residences to the west. Currently Raley's receives 30-40 deliveries per week with a majority of the deliveries occurring between 6 a.m. and noon. It is anticipated a similar number of deliveries would occur for the new store. However, on some occasions deliveries would occur after 11 p.m.

- 10-9** The comment notes a concern that homeless people will use the tables and benches to camp at night. Homelessness is an existing citywide concern. The commercial center would be managed by the project applicant (or their designee) to ensure the public amenities are kept clean and in good repair and to respond to any security issues.

- 10-10** The comment is raising a noise concern noise associated with sweepers clearing the parking lot. Noise associated with equipment to sweep and wash the parking lot, if used, would not be loud enough to exceed the City's noise thresholds. The City uses street cleaners to wash the edges of residential streets throughout the City. These types of uses are typical within an urban environment and are not considered an incompatible use or activity.

- 10-11** The comment is expressing support for a residential project to be developed on the project site. Alternatives to the proposed project were evaluated in Chapter 5 and included the No Project/Existing Zoning Alternative. As discussed on Draft EIR page 5-6, the No Project/Existing Zoning Alternative would develop the site under existing zoning for residential and commercial uses. Under this alternative, the site could be developed with 40 multi-family units and 250,000 square feet of commercial space, which would increase the amount of retail space by approximately 16,800 square feet. The 250,000 square feet of commercial space would be composed of 125,000 square feet for retail uses, including the 55,000 square foot Raley's store and 70,000 square feet of other retail uses, and 125,000 square feet in office uses. As discussed in Section 5.2, the Draft EIR concluded that the Reduced Intensity Alternative would be the environmentally superior alternative. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.

## Comment Letter 11

**From:** Jean Nelson

**To:** Dana Mahaffey

**Subject:** Re: Land Park Commercial Center (P15-048) Notice of Availability of the Draft EIR

**Date:** Monday, August 1, 2016 4:36:13 PM

Help--I live on Claremont--no undulations--

People take our street to and from Sutterville as a speedway.  
Cut through traffic is already a safety issue--what can be done to help us?

11-1

Lots of kids and elderly here.

Please share my comments--I attended and shared my concerns at one of the meetings but I don't see any action plans for surrounding neighbor safety impacts.

11-2

Please respond and I would prefer to email with someone involved in this aspect of the project.

Thank you.  
Jean Nelson

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**Letter 11****Jean Nelson**

- 11-1** The comment is concerned with existing cut through traffic for people connecting to Sutterville Road using Claremont Street, including safety. This is an existing condition and not related to the proposed project. The traffic analysis conducted for the project does not evaluate local traffic on Claremont Street and, as shown in Section 4.10, Transportation and Circulation, the project would not result in any traffic impacts at the intersections evaluated. To address the commenter's concern regarding traffic on her street, the City has a Neighborhood Traffic Management Program (NTMP) where neighborhoods can petition the City to install traffic calming devices to address residents' concerns about traffic. The commenter can contact the City for more information on this program.
- 11-2** The comment indicates that she is not aware of any plans to address neighbor safety impacts. The traffic analysis conducted for the project provided in Section 4.10, Transportation and Circulation, notes that the project would not result in any traffic impacts at the intersections evaluated. The Draft EIR does not include any plans to address safety impacts because the project would not result in any safety impacts.

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## Comment Letter 12

-----Original Message-----

From: Mary DeLost [<mailto:lexiaden@surewest.net>]

Sent: Thursday, August 4, 2016 7:18 PM

To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>; Mayor of the City of Sacramento, Kevin Johnson <[Mayor@cityofsacramento.org](mailto:Mayor@cityofsacramento.org)>; Angelique Ashby <[AAshby@cityofsacramento.org](mailto:AAshby@cityofsacramento.org)>; Allen Warren <[AWarren@cityofsacramento.org](mailto:AWarren@cityofsacramento.org)>; [jharris@cityofsacramento.org](mailto:jharris@cityofsacramento.org); Danielle Williams-Vincent <[DWilliams-Vincent@cityofsacramento.org](mailto:DWilliams-Vincent@cityofsacramento.org)>; Steve Hansen <[SHansen@cityofsacramento.org](mailto:SHansen@cityofsacramento.org)>; Jay Schenirer <[JSchenirer@cityofsacramento.org](mailto:JSchenirer@cityofsacramento.org)>; Eric Guerra <[EGuerra@cityofsacramento.org](mailto:EGuerra@cityofsacramento.org)>; Christine Roybal <[CRoybal@cityofsacramento.org](mailto:CRoybal@cityofsacramento.org)>; Rick Jennings <[RJennings@cityofsacramento.org](mailto:RJennings@cityofsacramento.org)>; Lawrence R. Carr <[LCarr@cityofsacramento.org](mailto:LCarr@cityofsacramento.org)>; [Bodipo50@gmail.com](mailto:Bodipo50@gmail.com); [cburke.realestate@gmail.com](mailto:cburke.realestate@gmail.com); [dcovill@cbnocal.com](mailto:dcovill@cbnocal.com); [lynnlenzi2@gmail.com](mailto:lynnlenzi2@gmail.com); [darryl.lucien@sbcglobal.net](mailto:darryl.lucien@sbcglobal.net); [todd.s.kaufman@gmail.com](mailto:todd.s.kaufman@gmail.com); [ALofaso@sbcglobal.net](mailto:ALofaso@sbcglobal.net); [phil.pluckebaum@gmail.com](mailto:phil.pluckebaum@gmail.com); [matt@mrpe.com](mailto:matt@mrpe.com); [wangconnellypdc@gmail.com](mailto:wangconnellypdc@gmail.com); [rwconsultants@hotmail.com](mailto:rwconsultants@hotmail.com); [jveepdc@gmail.com](mailto:jveepdc@gmail.com)

Subject: Capitol Nursery Site

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for our neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, overpowering parking lot lights, pollution and poor air quality, increased traffic and congestion on Freeport Blvd and surrounding surface streets. We cannot stand for a project that will rezone the area to eliminate the low-density housing buffer area that the site was always intended to be. We oppose a rezone, and we urge the city council to make sure this project fits into the character of Land Park and the surrounding residents.

12-1

--

Mary DeLost

[lexiaden@surewest.net](mailto:lexiaden@surewest.net)

2817 22nd Street

95818

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## Letter 12

### Mary DeLost

- 12-1** The comment expresses an opinion that the project is not a good fit for the neighborhood and goes on to allege the project will result in non-stop delivery noise, overpowering parking lot lights, air pollution, and increased traffic and traffic congestion on Freeport Boulevard and surrounding streets. The commenter also indicates they do not support rezoning the project site to eliminate the residential zoning located along the western boundary.

The Draft EIR evaluated noise in Section 4.8, lighting in Section 4.1, air quality in Section 4.2, and traffic in Section 4.10. It is important to note that the existing Raley's grocery store is located approximately 400 feet south of the project site and currently creates noise due to deliveries, creates light from overhead parking lot lights, and generates air pollutants associated with shoppers coming and going from the store as well as an increase in traffic. A summary of the project's impacts is included in the Executive Summary in Table ES-1. As shown in this table and explained in detail in the relevant technical section of the Draft EIR, the project would not result in any impacts associated with lighting, air quality, or traffic. Noise associated with project construction, although exempt under the City's Noise Ordinance, would result in an annoyance to nearby residents; therefore, a mitigation measure was included that requires all equipment be in proper working order and include intake silencers, stationary construction equipment shall be located as far away from adjacent residential property boundaries as is practicable, and the wall proposed adjacent to the western and northern boundaries of the site shall be installed as early in the construction process as is practicable.

The project is proposing to re-zone the portion of the site designated for Suburban Neighborhood Low Density (4.6 acres) and Suburban Neighborhood Medium Density (0.6 acre) to Urban Corridor Low and rezone the portions designated and zoned residential to commercial (C-2), consistent with the proposed land use changes. Allowable land uses within the Suburban Neighborhood Low and Medium density include single family and multifamily housing, accessory units, and limited neighborhood-serving commercial uses on lots two-acres or less. The No Project/Existing Zoning Alternative (Draft EIR, p. 5-6) evaluates development of the project site under the existing land use and zoning and notes that impacts associated with project construction and operation would be similar to the proposed project, but would be somewhat more intense given that under the existing zoning a much more dense project could be developed. The commenter's opinion is noted and forwarded to the decision-makers for their consideration.

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## Comment Letter 13

-----Original Message-----

From: Sandra Takagi [<mailto:isandratakagi@me.com>]

Sent: Monday, August 8, 2016 6:37 AM

To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>; Mayor of the City of Sacramento, Kevin Johnson <[Mayor@cityofsacramento.org](mailto:Mayor@cityofsacramento.org)>; Angelique Ashby <[AAshby@cityofsacramento.org](mailto:AAshby@cityofsacramento.org)>; Allen Warren <[AWarren@cityofsacramento.org](mailto:AWarren@cityofsacramento.org)>; jharris@cityofsacramento.org; Danielle Williams-Vincent <[DWilliams-Vincent@cityofsacramento.org](mailto:DWilliams-Vincent@cityofsacramento.org)>; Steve Hansen <[SHansen@cityofsacramento.org](mailto:SHansen@cityofsacramento.org)>; Jay Schenirer <[JSchenirer@cityofsacramento.org](mailto:JSchenirer@cityofsacramento.org)>; Eric Guerra <[EGuerra@cityofsacramento.org](mailto:EGuerra@cityofsacramento.org)>; Christine Roybal <[CRoybal@cityofsacramento.org](mailto:CRoybal@cityofsacramento.org)>; Rick Jennings <[RJennings@cityofsacramento.org](mailto:RJennings@cityofsacramento.org)>; Lawrence R. Carr <[LCarr@cityofsacramento.org](mailto:LCarr@cityofsacramento.org)>; [Bodipo50@gmail.com](mailto:Bodipo50@gmail.com); [cburke.realestate@gmail.com](mailto:cburke.realestate@gmail.com); [dcovill@cbnorcal.com](mailto:dcovill@cbnorcal.com); [lynnlenzi2@gmail.com](mailto:lynnlenzi2@gmail.com); [darryl.lucien@sbcglobal.net](mailto:darryl.lucien@sbcglobal.net); [todd.s.kaufman@gmail.com](mailto:todd.s.kaufman@gmail.com); [ALofaso@sbcglobal.net](mailto:ALofaso@sbcglobal.net); [phil.pluckebaum@gmail.com](mailto:phil.pluckebaum@gmail.com); [matt@mrpe.com](mailto:matt@mrpe.com); [wangconnellypdc@gmail.com](mailto:wangconnellypdc@gmail.com); [rwconsultants@hotmail.com](mailto:rwconsultants@hotmail.com); [jveepdc@gmail.com](mailto:jveepdc@gmail.com)

Subject: Capitol Nursery Site

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for our neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, overpowering parking lot lights, pollution and poor air quality, increased traffic and congestion on Freeport Blvd and surrounding surface streets. We cannot stand for a project that will rezone the area to eliminate the low-density housing buffer area that the site was always intended to be. We oppose a rezone, and we urge the city council to make sure this project fits into the character of Land Park and the surrounding residents.

13-1

--  
Sandra Takagi  
[isandratakagi@me.com](mailto:isandratakagi@me.com)  
2524 6th Ave  
95818

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## **Letter 13**

**Sandra Takagi**

- 13-1**      The comment letter is the same as Letter 12. Therefore, the reader is referred to Response to Comment 12-1.

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## Comment Letter 14

**From:** Brian Menter [<mailto:brian.i.menter@gmail.com>]  
**Sent:** Thursday, August 11, 2016 9:26 AM  
**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
**Subject:** Land Park Commercial Center EIR question

Good morning Ms. Mahaffey,

Like many Land Park residents, I'm thrilled to hear that Raley's is continuing their tradition of community partnership by working to develop and improve the local retail facilities along Freepoint. However, I have a question about how the new shopping center will impact the homes directly adjacent to the project. I'm currently a homebuyer looking to purchase 1909 Wentworth Avenue, and became concerned when I learned that the homes next door would be demolished and a masonry block wall built on two sides of the property.

14-1

I'm sure that you're already aware that the properties built along Wentworth have a zero lot line, and the garage on 1909 Wentworth touches the property line on two sides. I've reviewed the entire EIR and it neglected to go into specifics on the placement of these walls. I'm worried that Raley's plans to build these walls directly on the property line, which would prohibit access to the north and east sides of the garage to perform regular maintenance and repair the structure. I'm also concerned that without adequate clearance from the end of the eaves to the walls, that leaves or other debris could settle in the gap and prevent rainwater from properly draining off the roof.

14-2

Do you know whether Raley's plans to include a maintenance easement into the placement of the walls surrounding their development? Thank you so much for your time and I hope you have a great day.

14-3

Sincerely,

Brian Menter

(661) 904-4759 Cell

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**Letter 14****Brian Menter**

- 14-1** The comment expresses support for the project, but also notes he is a potential homebuyer and is concerned about the masonry wall proposed along the western boundary of the project site.

The City has responded to this individual and provided more information about the proposed wall. The wall would be located on the property boundary immediately adjacent to the existing garage.

- 14-2** The comment provides more details regarding concerns due to the location of the wall. As noted in the prior response, the City has contacted this individual and provided him with more specific information on the location of the wall.

- 14-3** The comment asks if Raley's plans on including a maintenance easement for the walls surrounding the site. The masonry walls to be constructed adjacent to the western and northern project boundaries would be maintained by the project applicant. However, this does not include maintaining the walls that front private property, including graffiti removal, landscaping, etc. The project applicant is only responsible, per the Conditions of Approval, for maintaining the "public" portion of the walls and any structural issues.

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## Comment Letter 15

My family and I live at 4655 Marion Court, Sacramento, CA 95822. I have three main concerns related to the proposed Raley's development at the old Capitol Nursery property

- 1) My little girl was recently diagnosed with asthma. Based on my understanding of the proposal, our backyard will be approximately 25 feet from the loading docks for the grocery store. I am very concerned about the health implications of being subjected to diesel exhaust throughout the day, especially given the growing body of evidence that diesel exhaust is especially harmful to children, as their lungs are still developing. Some of the health implications can be long-term or permanent.

Some of the adverse health effects of diesel exhaust on childhood asthma:

- 1) Increased asthma occurrence
- 2) Reduced lung function
- 3) Increased respiratory symptoms
- 4) Increased doctor visits and use of medication
- 5) Increased risk of hospitalization or emergency room visit
- 6) Increased inflammation and development of new allergies

15-1

- 2) Our backyard shares about 50 linear feet with the former Capitol Nursery property. My family room looks out to the backyard through about 15 feet of floor to ceiling windows. My property is graded several feet higher than the capitol nursery property, and my home is built on a raised foundation. The result is that from the main living space of our home, we can look directly down into the Capitol Nursery property from a relatively high vantage point. The project, as proposed, will significantly impact the main view from our home in an adverse way, especially given the proposed height of the retail development. The lights from the development will shine directly into our home.

15-2

- 3) Our home was built in 1950, and still has all of the original, single-pane windows. I estimate that my home is only about 50-60 feet away from where the loading docks will be as currently planned. We used to enjoy opening the windows in the evening to let in the cool air. I'm afraid we won't be able to do that anymore. In fact, I'm afraid that even with the windows closed, our home will be subject to the loud noises associated with trucks backing up, trash bins being unloaded and all the other loud noises associated with being so close to the rear of a major commercial development

15-3

Thank You,

Brandon Sherrets

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## Letter 15

### Brandon Sherrets

- 15-1** The comment raises a concern regarding air quality and the location of the loading docks relative to their home on Marion Court. The commenter states that his daughter was recently diagnosed with asthma and is concerned the project will create an unhealthy environment.

The Draft EIR addresses air quality in Section 4.2, Air Quality. As described on pages 4.2-24 and 4.2-25, air emissions associated with project operation were modeled and were shown to not exceed the air district's thresholds for various pollutants. In addition, Impact 4.2-6 starting on page 4.2-27 evaluated exposure of sensitive receptors (i.e., children, the elderly) to substantial pollutant concentrations (i.e., diesel exhaust or particulate matter). The analysis found that diesel trucks are subject to the California Air Resources Board (CARB) Airborne Toxic Control Measures that are designed to reduce diesel emissions. In addition, trucks in the loading area would be instructed by Raley's not to leave their engines idling and to turn off their vehicles, which would minimize emissions. Furthermore, the Sacramento Air Quality Management District (SMAQMD) generally does not require or recommend a health risk assessment be prepared for grocery stores or shopping centers as part of the CEQA process, although SMAQMD does explicitly indicate that one of the best ways to substantially reduce diesel emissions from delivery trucks is by providing electrical hookups in loading docks for trucks with refrigeration to plug into while making deliveries (Huss 2016b). The provision of electrical outlets at loading docks would give truck operators the ability to shut off their main engines while maintaining power to the refrigeration systems and keep perishable foods at an appropriate temperature. Electrical hookups for delivery trucks are included as part of the project design, as described in Chapter 2, Project Description. Based on the amount of truck traffic, implementation of the states' applicable Airborne Toxic Control Measures, and the electrical hookups in loading docks, the analysis concluded that project operation would not be expected to result in pollutant concentrations that could create significant health risks.

- 15-2** The comment is describing the location of their home relative to the project site and is expressing concern that the project will negatively affect the existing view of their backyard and goes on to state that lights from the project will shine directly into their home.

The Draft EIR evaluated the change in aesthetics and views associated with redeveloping the project site in Section 4.1, Aesthetics. As noted on page 4.1-28, views of a project by a limited number of individuals do not constitute public views and are typically not evaluated under CEQA. (See *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4<sup>th</sup> 477, holding that if agency policy does not protect private views, then impacts to such private views are not significant impacts under CEQA.) The City of Sacramento does not include any policies that protect private views; therefore, the analysis evaluates public views.

The project includes a 40-foot-wide setback for the proposed Raley's store along the western boundary of the site. Within this area a paved driveway would be provided behind the Raley's store for emergency vehicle access along with a 12-foot-high masonry block wall adjacent to the western boundary. All lighting would conform to the City's General Plan policy 6.1.12, which requires lighting be "shielded and directed downward to minimize impacts on adjacent residential uses." Security lighting along the rear of the Raley's store and the loading dock area, along the northern boundary of the site would consist of wall-mounted fixtures mounted at between eight to ten feet above grade with cut-off shields and motion sensors to avoid light spillage into adjacent properties. The lights would be mounted lower than the 12-foot high wall and would be shielded and focused downward blocking the potential for any light to shine directly into any residence located along the northern or western boundaries of the project site.

- 15-3** The comment is expressing a concern that due to the location of the loading docks relative to their home on Marion Court, noise from loading dock activities and other noise from commercial uses would not allow them to open their windows in the evenings (presumably during the hotter summer months).

As described in Chapter 2, Project Description, a majority of deliveries to the Raley's store would occur between 6 a.m. and noon. It is not anticipated that deliveries to the new Raley's store or any of the other retail uses would occur during the evening hours. The City's exterior noise standards (Section 8.68.060 of the Municipal Code), limits exterior noise levels at residential properties to 50 dBA (from 10 p.m. to 7 a.m.). In addition, the proposed grocery store and 12-foot high masonry wall would block parking lot noise and noise from operational activities throughout the rest of the site from residents located to the west. During the evenings it is not anticipated that noise would exceed the City's exterior noise standards and the project would not preclude residents from opening windows to let in the cool air.

## Comment Letter 16

**From:** Ann Collentine [<mailto:amcollentine@gmail.com>]

**Sent:** Friday, September 9, 2016 4:07 PM

**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>

**Cc:** november1 <[nvmbr1@gmail.com](mailto:nvmbr1@gmail.com)>; Elise Gumm <[EGumm@cityofsacramento.org](mailto:EGumm@cityofsacramento.org)>

**Subject:** response to the Land Park Commercial Project EIR

Dear Dana -We have registered many of our concerns previously in correspondence with Elise Gunn. My husband and I still have many concerns which I am not sure were adequately addressed in the EIR. We were unable to understand many of the standards and language in the EIR since it is so technical in nature and were unhappy to see many conditions that meet standards yet so apparently negatively impact the quality of life on our property. So, without fully understanding more than 1500 pages of EIR, here are our concerns:

1. There is not elevation picture which shows what we will be looking at from our backyard. We reside at 4621 Marion Court. Will my backyard view be a cinderblock wall? Will my view be of the back of Raley's? Will the back of Raley's be a concrete wall? Will it reflect heat on my property? Will the shrubs on the easement be cut down without our permission? Will the HVAC be on top of the Raley's? Will it be unsightly? noisy? Where will refuse be collected and picked up? what is the smell and noise related to that? Will it be viewable from our property?

2. Will the fire lane be asphalt? Will it reflect heat on our property?

3. What is the change in the noise environment for our property?

4. What is the change in light for our property, with downward facing lighting - does that include any firelane security lighting?

5. What is the impact of so many cars and parking in such close proximity to our property?

6. What is the impact of other commercial tenants? Will there be sound, smells from restaurants? who are these tenants and how can an EIR be legitimate if it doesn't address the environmental impact of these potential tenants?

My husband and I remain opposed to rezoning of part of this site from residential zoning to commercial zoning. I remain in favor of single-family housing that is consistent with the neighborhood and the most appropriate use of the property zoned that way.

In addition, the traffic, noise, and light from this project will change the quality of the neighborhood. The size of this commercial development flies in the face of current best practices in developing an urban site. This is a watered down suburban development which doesn't fit this site.

Thank you for your consideration of these comments.

Sincerely,  
Ann M. Collentine and Jon Kevin Williams  
4621 Marion Court  
916-736-3159

16-1

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## Letter 16

### Ann Collentine and Jon Kevin Williams

- 16-1** The comment states that prior concerns regarding the project have been expressed to Elise Gum, the City's planner on the project but the commenter still has more concerns related to the project. The comment does not address the adequacy of the EIR; therefore, no response is required.
- 16-2** The comment notes that the commenter lives at 4621 Marion Court and the Draft EIR does not include an elevation that shows the view from their house looking at their backyard. The comment goes on to question what their view will be of the proposed new Raley's store, will (the wall) reflect heat onto their backyard, will shrubs along the easement be removed without their permission, will a HVAC unit be on top of the new Raley's store, will it be noisy, where will garbage be collected and what is the noise and smell associated with the garbage containers, and will it be visible from their property?

All of the concerns raised in the comment have been addressed in the Draft EIR. Regarding private views of their backyard from their home at 4621 Marion Court, the Draft EIR only evaluates public views because the California Environmental Quality Act (CEQA) and the City do not require an EIR evaluate private views. See also response to comment 15-2.

As described in Chapter 2, Project Description, a 12-foot-tall masonry wall would be constructed along the western boundary of the project site. The color of the wall has not been finalized yet, but most likely would be a light color that would not be conducive to reflecting heat. The wall would be constructed on the property boundary and would not remove any vegetation that is located on private property. It is unclear from the comment where an easement is located. However, if the bushes/shrubs are located within the project boundary they would be removed to accommodate the project otherwise they would remain.

As described on page 2-35 in Chapter 2, Project Description, the primary HVAC unit for the Raley's building would be located generally in the center of the roof. There would be an additional 3 or 4 smaller units required, but their location would depend on the final store layout. However, it is anticipated these units would be located closer to the northwest corner of the roof. Section 4.8, Noise, discusses noise from the HVAC units starting on page 4.8-21. As described in the analysis under Impact 4.8-4, the grocery store roof would be flat, with a perimeter or parapet wall extending a minimum of 3.5 feet above the surface elevation of the roof. The HVAC units

average a height of 3 feet, therefore the parapet wall would provide adequate visual screening of the equipment. The parapet wall would also function as a partial noise barrier to reduce noise levels from the HVAC unit. Noise from the HVAC units was modeled and the average noise levels were between 26 to 28 dBA, which is well below the City's exterior noise thresholds of 50 dBA from 10 p.m. to 7 a.m. The results of the mechanical equipment operations noise analysis indicates that the proposed project would comply with the City's Noise Element and Municipal Code Noise Ordinance restrictions and mechanical equipment operations would result in noise at residential property boundaries that are well below current thresholds.

As described on page 2-14 in Chapter 2, trash and recycling containers would be contained within a 10-foot by 18-foot space enclosed within a 6-foot-high concrete block wall. A total of four trash and recycling enclosures would be located throughout the project site. The trash enclosures would be located on the north side of Shops 4 and 5, the west side of Shops 3, the south side of Shops 2, and near the loading dock on the south side of the Raley's grocery store. Views of the trash enclosures would be blocked by the masonry wall and not visible to the surrounding area. Trash is typically collected on a weekly basis and would generate noise associated with dumping the containers, but it would not exceed existing noise standards and is considered a common source of noise in an urban environment. Because trash would be located within an enclosed area it is not anticipated odors would be noticeable to adjacent neighbors.

- 16-3** The comment is inquiring about the fire lane located behind the proposed Raley's grocery store and if it will reflect heat onto their property. The proposed emergency vehicle access would be a paved driveway located within the 40-foot wide setback behind the Raley's store, as described on page 2-13 in Chapter 2. The 12-foot high masonry wall proposed along the western boundary of the project site would block any heat reflecting opportunities. In addition, trees are proposed adjacent to the wall along the western boundary of the site.
- 16-4** The comment is requesting information on noise and wants to know what the change in the noise environment would be relative to their property. Noise associated with both short-term project construction and long-term project operation is included in Section 4.8 of the Draft EIR. As described in detail in Section 4.8, noise associated with project construction and operation would not exceed the City's acceptable noise thresholds. Although the project would comply with the City's Noise Ordinance during project construction and the impact is less than significant, mitigation is included to help lessen the construction-related noise disturbance to adjacent residents.

- 16-5** The comment is asking how lighting will affect their property and if any fire lane lighting is included. As discussed on page 2-17 in Chapter 2, all lighting would conform to the City's General Plan policy 6.1.12, which requires lighting be "shielded and directed downward to minimize impacts on adjacent residential uses." In addition, security lighting along the rear of the Raley's store and the loading dock area would consist of wall-mounted fixtures mounted at between eight to ten feet above grade with cut-off shields and motion sensors to avoid light spillage into adjacent properties. The 12-foot tall wall would block security lights located along the rear of the Raley's store. No lighting is provided for the emergency vehicle access.
- 16-6** The comment is asking what the impact would be from cars parking in close proximity to their property. The commenter's residence located at 4621 Marion Court would be located immediately behind the proposed Raley's grocery store and would not be in close proximity to the parking lot. The Draft EIR evaluated the traffic, air quality, and noise impacts associated with cars accessing the project site, vehicle emissions, and noise from parking lot activities. As shown in the analysis, all of the impacts would not exceed the City's thresholds and were determined to be less than significant.
- 16-7** The comment is asking what the impacts would be of other commercial tenants, including noise and odors (from restaurants) and is questioning the legitimacy of the EIR if these additional uses are not evaluated. The Draft EIR evaluated the potential operational impacts associated with the additional 53,165 square feet in commercial uses and no significant impacts were identified. It is important to note that under the project site's existing zoning, uses allowed by right include single family and multifamily housing, accessory units, and limited neighborhood-serving commercial uses on lots two-acres or less (Suburban Neighborhood Low and Medium density) and retail, service, office, and residential uses; gathering places such as plazas, courtyards, or parks; compatible public, quasi-public, and special uses; and large-scale development with a mix of nonresidential and residential uses (Urban Corridor Low density). Uses such as restaurants are allowable within the existing and proposed land use designations and zoning.
- 16-8** The comment is expressing support for not changing the residential zoning along the western boundary of the project site and supports development of single-family housing in this portion of the site. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.

- 16-9** The comment is expressing an opinion that the project will change the quality of the neighborhood and is a suburban style project that does not fit the project site. The comment also states the size of the project is not consistent with current best practices for developing an urban site. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.



## Comment Letter 17

**From:** Glenda Marsh [<mailto:marshmellow8562@yahoo.com>]

**Sent:** Monday, September 12, 2016 10:57 AM

**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>

**Subject:** Comments\_ Draft EIR Land Park Commercial Center

I am submitting comments on the draft EIR for the Lamb Park Commercial Center.

The EIR states that greenhouse gas emissions are less than significant and no mitigation is required. However in section 4.5-1, I recommend the city require the project to reevaluate how the project can contribute to city or state efforts to meet AB 32 standards for reduction of greenhouse gas emissions by reducing the need for vehicles to drive to the store. The center location is served by bus, bike lanes, and is walkable and bikeable from several surrounding neighborhoods. Therefore the project should use its transportation survey as a baseline showing how customers currently transport themselves to the store, and then implement ways to increase pedestrian and bike transportation percentage. If 15% of customers access the current store by walking, assume this percentage is limited in the current location due to barriers to walking, not low preference to driving. Address these barriers for both pedestrians and bicyclists and that percentage will increase, and vehicle emissions can be reduced. Every project has the opportunity to contribute to reducing the need to drive to the location. There are still significant improvements to the layout that can impact bike access in a negative or positive direction.

17-1

I live in HollywoodPark neighborhood and ride my bike or walk exclusively to the current release location. It is very difficult to get across Freeport Boulevard. I would like to see more detail (a figure) on the conditions of approval regarding the reconfiguration of the light and stop sign at Sheilah/Stacia and Wentworth on both sides of Freeport Boulevard. The EIR should include information about how this approval condition is planned so that neighborhood feedback can be provided. This is a very poor intersection I myself have actually submitted a request for its review to the city, but never heard anything back.

17-2

Currently, I feel pretty safe riding my bike to Raley's because I can access it from Potrero or Wentworth depending on what direction I am riding from. This way, I enter the parking lot for only a short distance, do not have to travel through parking aisles, and reach the bike racks next the building very quickly without very much exposure to the parking lot or vehicle traffic. The proposed configuration for bike access from Freeport to the new center does not look safe and exposes bicyclists to a long distance of exposure to cars backing in and out of parking aisles and having to drive the gauntlet through the middle of parked cars. I would not feel safe at all having to do this. I would feel like I was now suddenly in a very dangerous setting. Figure 2 – 6 shows how bicyclists riding south would turn right into the center along a peripheral road. However it does not show how bikes would access the center from a northbound direction. One can only assume cyclist would have to get into the left turn pocket and turn left onto the major car access into this into the center driving through parked vehicles in the parking lot to reach the grocery store all the way in the back. This is not acceptable for incentivizing and making possible bike access to the grocery store. The project in the EIR needs to address bike access from a northbound direction. I recommend making a protected bike only pathway through the center of the parking lot if that is the only way the project proponent wants vehicles to enter from Freeport, or making a route from Wentworth turning right into the back part of the center. This would be a more direct route to the grocery store and avoid being in the middle of all of the vehicles in the parking lot.

17-3

17-4

With these kinds of adjustments the project could make it easier than it is now at the current store to ride a bike from North or South or East or West and actually safely get to the store. Currently, bicyclists do not turn from Freeport into the parking lot at Raley's and drive through the parking aisles to reach the store. Bicyclists typically access the store from Wentworth or Potrero. No one in their right mind on a bike would go through the parking lot in the parking aisles, it is just too dangerous.

17-5

Glenda Marsh  
2208 Murieta Way  
Sacramento, CA 95822

## Letter 17

### Glenda Marsh

- 17-1** The comment is suggesting that vehicle emissions, including greenhouse gases could be further reduced if the project would encourage alternative modes of transportation including removing obstacles to bicyclists, pedestrians, and bus transit. The comment also notes improvements to the site plan can affect bike access in a positive or negative fashion.

Walk Sacramento and the Sacramento Area Bicycle Advocates (SABA) worked with the project applicant to ensure safe access for pedestrians and bicyclists was provided. The site plan was subsequently revised to address their concerns and the new plans are included in Chapter 2, Text Changes to the Draft EIR. Additionally, as noted in Section 4.5, Greenhouse Gas Emissions (p. 4.5-14 through 4.5-17), the Draft EIR determined that greenhouse gas emissions would be less than significant. The concerns raised by the commenter do not provide any specifics on ways to further improve the site plan. Therefore, the commenter's opinion and suggestions are noted and forwarded to the decision-makers for their consideration.

- 17-2** The comment indicates that the commenter lives nearby and currently rides or walks to the current Raley's store and notes that access across Freeport Boulevard is difficult and would like to see more information on the city's Conditions of Approval for the intersection on Freeport Boulevard with Stacia Way and Wentworth Avenue.

Regarding the traffic signal modifications at the Freeport Boulevard intersection with Wentworth Avenue / Stacia Way, please see Response to Comment 9-6.

- 17-3** The comment notes that bike access to the project site under the current site plan does not appear to be safe because it requires cyclists to travel through the parking aisles to get to the Raley's store. This exposes cyclists to the hazards of cars backing out of parking spaces and creates an unsafe environment.

As noted by the Commenter, the applicant's plan does not provide exclusive bike lanes on the site. The entrance to the proposed Raley's store from Freeport Boulevard requires travel through parking aisles, where bicyclists may encounter cars backing out of parking stalls. Access from Wentworth Avenue would be via a pathway located along the west side of the project driveway (see revised Figure 2-4 in Chapter 2, Changes to the Draft EIR). Project impacts to bicycle facilities were evaluated in Section 4.10, Transportation and Traffic, under Impact 4.10-4. The Draft EIR concluded, on page 4.10-57, that project impacts on bicycle facilities would be less than significant.

- 17-4** The comment indicates that Figure 2-6 (see Chapter 2 in the Draft EIR) does not show how bicyclists would access the project site from the north (from Freeport Boulevard). The comments alleges that a bicyclist would need to travel with the vehicles turning left from Freeport Boulevard and travel through the parking aisle to access the store located at the rear of the site. The commenter states this does not encourage bicyclists to travel to the project site and recommends making a protected pathway through the center of the parking lot, or providing a route for bicyclists from Wentworth Avenue to the Raley's store.

Please see Response to Comment 9-4.

- 17-5** The comment states that with these changes it would create an easier and safer route for bicyclists to access the project site coming from the north or south.

Please see Response to Comment 9- 4.

## Comment Letter 18

**From:** Jim Blanke [<mailto:jim.blanke@yahoo.com>]  
**Sent:** Thursday, September 15, 2016 9:04 AM  
**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
**Subject:** Comment on THE LAND PARK COMMERCIAL CENTER PROJECT

Dear Dana Mahaffey,

Thank you for the opportunity to comment on the DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LAND PARK COMMERCIAL CENTER PROJECT.

The EIR does not mention General Plan Goal M1.3: Barrier Removal Improve accessibility and system connectivity by removing physical and operational barriers to safe travel.

This parcel allows for development that would allow for connectivity, meeting Policy M1.3.1 of the General Plan:

*M 1.3.1 Grid Network. To promote efficient travel for all modes, the City shall require all new residential, commercial, or mixed-use development that proposes or is required to construct or extend streets to develop a transportation network that is well-connected, both internally and to off-site networks preferably with a grid or modified gridform. (RDR) The City shall require private developments to provide internal complete streets (see Goal M.4.2) that connect to the existing roadway system.*

For this parcel, the key component of connectivity is allowing pedestrian and bicycle connections north-to-south in a slow-traffic environment suitable for many of our residents that are not comfortable or able to bicycle or walk along Freeport Boulevard. The street system in this area is lacking in north-south safe connections. Francis, Marion, and Babich all dead end and do not allow north-south flow for pedestrians or bicycles. Such users are forced to Mead, which is quite far to the west. On the east side of Freeport, similar conditions exist with few north-south connections for bicycles and pedestrians. This results in difficulty for mobility for many people, including students at Sutterville Elementary, Leonardo da Vinci K-8, and Hollywood Park Elementary.

The project should be configured to allow safe connectivity between Babich, Sherwood, and Wentworth for pedestrians and bicycles to conform with Policy M 1.3.1. This is critical for developing a safe, connected, multi-modal transportation network that works for all residents, including children and the elderly.

Regards,  
 James Blanke

18-1

18-2

18-3

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**Letter 18****James Blanke**

- 18-1** The proposed project is not constructing or extending streets. The proposed project consists of private driveways, access roadways, and parking areas serving only the proposed development. While the project could potentially provide pedestrian and bicycle access to the dead-end streets (Sherwood Avenue and Babich Street), some residents of these areas oppose such connections which would create new pedestrian and bicycle traffic in their neighborhoods.
- 18-2** Please refer to the Response to Comment 18-1.
- 18-3** Please refer to the Response to Comment 18-1.

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## Comment Letter 19

**From:** Ann [<mailto:amcollentine@gmail.com>]  
**Sent:** Thursday, September 15, 2016 8:17 AM  
**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
**Cc:** november1 <[nvmb1@gmail.com](mailto:nvmb1@gmail.com)>  
**Subject:** Re: response to the Land Park Commercial Project EIR

Dear Dana- We have reviewed a draft of a letter which will be submitted to you by our neighbor at 4650 Marion court. My husband and I agree with all of the comments and concur with all the issues raised in this letter. We are on vacation and unable to sign the letter but want to be noted as being in support and agreement with all issues raised in the letter.

19-1

Sincerely,  
Ann m. Collentine and Jon k. Williams  
4621 Marion Court

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**Letter 19****Anne M. Collentine and Jon K. Williams**

- 19-1** The comment is noting support for a comment letter (see Comment Letter 21) submitted by a neighbor that lives at 4650 Marion Court. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the comment is noted and forwarded to the decision-makers for their consideration.

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## Comment Letter 20

September 15, 2016

Dana Mahaffey  
City of Sacramento  
Community Development Department  
Environmental Planning Services  
300 Richards Boulevard  
Sacramento, CA 95811

Re: Land Park Commercial Center (P15-048) Draft Environmental Impact Report

Dear Ms. Mahaffey,

We have reviewed the Draft Environmental Impact Report for the referenced project and have the some comments and questions regarding the analyses contained in the DEIR. While we generally support the project, we would like to have clarification on a number of points contained in the EIR. We want Raley's Land Park Commercial Center make a substantial positive contribution to our neighborhood. We also have noted a number of errors in the DEIR analyses, which are described in our comments below.

20-1

**Chapter 2 Project Description**

Table 2-1, Proposed Project Land Use, shows a total of 457 "vehicle" parking spaces would be provided on site. Table 2-2, Scheme B – Land Uses, seems to contain at least one error in that it shows over 5,000 "vehicle" parking spaces. Since Scheme B does not include a massive multi-story parking facility, we assume this is an error, but it would be helpful to know how many parking spaces would be provided under Scheme B. Additionally, bicycles, we believe, are considered vehicles and a legitimate form of transportation. The term "vehicles" used in the tables should be changed to "motorized vehicles".

20-2

We are gratified to see the project design has incorporated features to reduce noise and emissions at the loading docks. Specifically the inclusion of restrictions on idling, electrical hook ups for refrigerator truck units, and recessed loading docks will promote the project as a good neighbor.

20-3

**Section 4.1 Aesthetics**

Consistency with General Plan Land Use Policies

Policy LU 2.4.1, Unique Sense of Place: The City shall promote quality site, architectural and landscape design that incorporates those qualities and characteristics that make Sacramento desirable and memorable including: walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.

20-4

The proposed design of the project, while an improvement over the existing conditions on the site, does not necessarily provide a "unique sense of place". The design is very much the same as many other suburban shopping center developments in the region that consist of large parking areas with "pod"

buildings scattered within the parking lot. The project design would be improved by locating the Shops 4 and 5 buildings adjacent to one another, perhaps on the northeast corner of the site. Additionally this would improve pedestrian safety by negating the potential for pedestrians to cross the entrance drive to go between Shops 4 and 5. We suggest this design as a new alternative, which meets all the project objectives, is feasible, and reduces potential pedestrian/vehicle conflicts. This alternative would also be an aesthetic improvement by defining an additional public space rather than the proposed project's random placement of buildings on the site.

20-4  
Cont.

Figure 2-7, Proposed Landscaping, does not provide clear enough labeling so that the reviewer can determine where each type of tree will be planted. The printing is indistinct. Our concern is that the types of trees planted will provide enough shade, will be planted with adequate root area to thrive in a parking lot setting, and will be maintained over the life of the project.

20-5

#### Section 4.4 Cultural Resources

Page 4.4-3 Description of Land Park Neighborhood:

Figure 2-2, Project Location, shows the project site as being located within the South Land Park neighborhood, yet on page 4.4-3 of the DEIR Cultural Resources the following statement is made:

20-6

"The project site is located in the Land Park neighborhood, which is located south of Broadway, east of Riverside Boulevard, west of Freeport Boulevard, and north of Sutterville Road." [underline added]

In actuality, the project site lies approximately 0.1 mile south of Sutterville Road and, therefore, is not located in the Land Park neighborhood. The City of Sacramento Neighborhoods Map (April 2013), available at <http://www.cityofsacramento.org/ParksandRec/Neighborhood-Services/Maps>, shows the project site as being located within the South Land Park Neighborhood as does DEIR Project Location Figure 2-2. The DEIR cultural resources historical context and analysis for the project focuses on the creation and development of William Land Park and Land Park residential and commercial areas, but does not provide context for the development of the South Land Park neighborhood in which the project site is located. The history of the development of Land Park may have some relevance to the project, but the DEIR fails to inform the reviewer that the project site is near, but not in Land Park. The historic importance of the development of Hollywood Park neighborhood, which lies directly across Freeport Boulevard from the project site, may also have relevance, but it is not addressed. The DEIR should provide historical background for the neighborhood in which the project site is located, describe any significant cultural resources in that neighborhood, and if relevant, historical resources in the immediately adjacent neighborhood of Hollywood Park. The DEIR must evaluate the potential impacts to cultural resources of the project in accordance with this information.

20-7

#### 4.6 Hazards and Hazardous Materials

In regards to the investigation of past use of hazardous materials at the site, the following potential for hazardous waste impacts is not noted in the Phase 1 & Phase 2 assessments and is not addressed in the DEIR: A drainage ditch at one time exited the Capital Nursery site in the northwest corner, and ran north between properties located on Marion Court and Babich Street. The ditch carried runoff from the nursery. It appears that one soil boring was made in the northwest area of the site, but not at the western edge where the drainage ditch was situated. Please address the potential for contamination to occur along the former ditch in the EIR and discuss whether the project would result in any adverse

20-8

environmental conditions related to potential contamination. Additionally, the EIR mitigation measures should require additional soil and groundwater testing if it is warranted.

↑ 20-8  
Cont.

We believe that certain other health and safety concerns should be addressed in the EIR. Specifically, it is evident that a substantial rat population is present within the Capital Nursery property. They can be observed emerging from the property into adjoining neighborhoods at night. When redevelopment occurs they will be looking for new homes, and could pose a health hazard to residents. The EIR should address this problem and provide mitigation measures that will require environmentally sound extermination methods, that would not harm birds or other predators, be employed before any demolition begins.

20-9

#### Section 4.7 Hydrology

Hydrologic information for this area contained in the DEIR does indicate that water will rise above gutter level during a 6-hour rainstorm, but the modeling does not indicate problems during that type of event. The movement of surface water at 140 cfs toward Babich Street will continue, as is the current situation. The DEIR does state that the area will be “expected to be subject to storm drain overflows” during a 10 year or 100 year event, and that the corner of Freeport and Wentworth will have flooding problems. The DEIR notes that 5.13 acres of the site will have impervious surfaces, changing the project site from 36% to 88% impervious material. It is indicated that this site makes up 1% of Basin 26. The DEIR indicates that mitigation of the storm water runoff is not required. Given the size of the project and the change in the neighborhood to the 5.13 acres of impervious surfaces, consideration to permeable surfaces, where applicable, would be helpful in reducing the identified flooding problems.

20-10

#### 4.10 Transportation and Circulation

We have concerns that were not addressed in the DEIR regarding bicycle safety at the entrance drive on Freeport Blvd. A set back from the entrance for on-street parking should be required in order to provide better visibility for motorists exiting the parking lot onto Freeport Blvd and for bicyclists approaching the drive entrance from the north. This is a problem at the drive entrance for the Safeway shopping center on 19<sup>th</sup> and Street in Midtown.

20-11

The project description in the DEIR does not specify what type of bicycle parking will be provided. We feel the DEIR should address the need for secure, well placed and constructed bicycle racks in order to ensure that people will use alternative forms of transportation, other than motorized vehicles (which is assumed in the transportation analysis). In order to do this, secure bike racks that are solidly anchored, and placed so that multiple bicycles can use them should be specified in the project description or incorporated by mitigation measures. The first set of bike racks that were installed at the current Raleys are practically unusable because they are incorrectly installed too close to the building wall, and the sidewalk in front of the store is so narrow that bikes parked correctly at other racks block the walkway. Additionally, bicycle racks should be placed in high visibility locations for security reasons, but adequate space needs to be provided so that bikes do not block the sidewalks.

20-12

#### A Climate Action Plan (CAP)

The CAP checklist was submitted by the applicant and is included in Appendix B of the DEIR. While the applicant indicates that there will be on-site renewable energy systems by checking the “yes” box, in the comment section the applicant then indicates that the project “most likely” will substitute energy

20-13  
↓

efficiency “in lieu of providing on-site renewable energy by exceeding the state’s Title 24 energy efficiency” standards by a minimum of 5%. Given the potential on a site of this size to incorporate on-site renewable energy systems, this seems a lost opportunity for the City to advance its goals of requiring large projects to incorporate renewable energy systems. This should be addressed further in the DEIR.

20-13  
Cont.

#### Chapter 5, Project Alternatives

##### *Alternative 1*

Alternative 1 is not a valid alternative under CEQA Guidelines Section 15126.6(e)(3)(A): When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. Therefore, the No Project Alternative, would assume development according to the existing plan. Alternative 1, as described in this DEIR should be considered the Existing Conditions under this CEQA Guidelines section.

20-14

##### *Alternative 2, No Project/Development According to Existing Zoning*

Few test borings were taken within the residential zoned area. If residential development were to occur, would additional testing be required due to the possible toxic contamination by pesticides, and differing standards for residential property(Appendix E)?

20-15

It seems questionable whether vehicle access to the residential area through the parking lot of the commercial development would be acceptable to the city, and access solely from Wentworth Ave. does not seem adequate.

20-16

Additionally, this alternative does not meet the CEQA's basic requirements for alternatives; meet most project objectives, be feasible, and substantially reduce one or more the project's significant impacts. This alternative creates new impacts and would transfer those impacts identified for the existing neighborhood to these new residences. This and the negative impacts described make this alternative infeasible.

20-17

##### *Alternative 3*

The alternatives of opening Sherwood Ave. and/or Babich Ave. would create additional negative impact in noise, traffic and parking on those streets, and the streets feeding into them. Therefore, this alternative has no environmental advantage over the proposed project.

20-18

4

Thank you for the opportunity to comment on the DEIR for the Land Park Commercial Center.

Sincerely,

Sharon Kowall  
1821 Sherwood Avenue  
Sacramento, CA 95822

Janis Heple  
4507 Marion Court  
Sacramento, CA 95822

Melinda M. Rivasplata  
4900 Alta Drive  
Sacramento, CA 95822

4

Kowall-Heple-Rivasplata



## Letter 20

**Sharon Kowall, Janis Heple, Melinda Rivasplata**

- 20-1** The comment notes that in general the commenter's support the project but are requesting more clarification on the analysis included in the Draft EIR. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the comment is noted and forwarded to the decision-makers for their consideration.
- 20-2** The comment is noting an error in Table 2-1 in Chapter 2, Project Description, regarding the number of parking spaces and is requesting "motorized" vehicles be added to Table 2-1. This error has been noted in prior comment letters and has been corrected in Chapter 2, Changes to the Draft EIR. Please see Response to Comment 4-1 for more specific details. Regarding the suggestion to add motorized to Table 2-1 (and Table 2-2) in Chapter 2, Project Description, the authors of the EIR believe the information in the tables does not need to be changed.
- 20-3** The comment is expressing appreciation that the project includes features to reduce noise and air emissions at the Raley's loading dock and applauds Raley's for being a good neighbor. Please see also Response to Comment 4-6 for an additional Condition of Project Approval added to the project.
- 20-4** The comment disagrees with the analysis contained in the Draft EIR that the project is consistent with General Plan policy LU 2.4.1, Unique Sense of Place. The commenter finds the project design to be similar to a suburban shopping center and recommends locating Shops 4 and 5 adjacent to each other in the northeast corner of the site to improve pedestrian safety and avoid potential pedestrian/vehicle conflicts at the project's entrance off of Freeport Boulevard. The comment also states this change would provide additional public space.

The City's General Plan policy LU 2.4.1 states the "City shall promote quality site, architectural and landscape design that incorporates those qualities and characteristics that make Sacramento desirable and memorable including: walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles." The project has been designed using quality building materials along with a landscaping plan that will provide a significant number of trees both along the project frontage with Freeport Boulevard and Wentworth Avenue as well as internal to the site. The project meets the intent of this policy, but as noted in Chapter 3, "[i]t is within the City's decision makers' purview to decide if the proposed project is consistent or inconsistent with any applicable City goals or policies. The 2035 General Plan clarifies the role of the City in determining consistency as: "[t]he City, in its sole

discretion, shall determine a proposed project's consistency with the City's General Plan. Consistency is achieved if a project will further the overall objectives and policies of the General Plan and not obstruct their attainment, recognizing that a proposed project may be consistent with the overall objectives of the General Plan, but not with each and every policy thereof." (City of Sacramento 2015, p. 1-2). The discussions in this Draft EIR on the subject of General Plan consistency represent the best attempt of City staff to advise the City Council of its opinions as to whether the proposed project is consistent with identified goals and policies of the City's General Plan."

The commenter's suggestion to relocate Shops 4 and 5 to the northeast side of the project site is noted. CEQA requires that a reasonable range of project alternatives be considered that reduce, lessen or avoid any significant impacts created by the project. CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed so as to encourage both meaningful public participation and informed decision making. (CEQA Guidelines, Section 15126.6, subd. (a).) "The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness. The requirement has been fulfilled here; the Draft EIR examined a range of project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the project. The commenter's suggestion that another alternative be evaluated that does not appear to reduce, lessen or avoid any significant impacts created by the project is not required under CEQA.

- 20-5** The comment is raising a concern that the landscaping plan is not clear and does not identify what where specific types of trees would be planted. The commenter's concern is that the trees may not provide enough shade, may not have adequate room to grow, and will need to be maintained.

Since publication of the Draft EIR the landscaping plan has been slightly modified and the updated plan is included in Chapter 2, Changes to the Draft EIR. The landscaping plan and plant and tree palette was prepared by a landscape architect. In addition, the City's arborist will review the landscaping plan to ensure the types of trees to be planted are appropriate for the location and the trees are planted properly to ensure the health of the tree would not be compromised. The landscaping plan was prepared in accordance with the City Municipal Code Section 17.612.040 requirement that within 15 years after establishment, at least 50% of the parking facility will be shaded. Maintenance of the center would be overseen by a property manager and would include weekly landscaping and scheduled maintenance and repair of the parking lot and sidewalks. This would include tree maintenance to

ensure the trees are healthy and receiving proper water. Janitorial would be on site multiple times a week making sure the center is clean and inviting.

- 20-6** The comment is stating that the project site is located in the South Land Park neighborhood and not the Land Park neighborhood, as indicated in on page 4.4-3 of the Cultural Resource section of the Draft EIR.

The commenter is correct, the project site is technically located in the South Land Park neighborhood because it is south of Sutterville Road, which is the dividing line between the Land Park neighborhood and the South Land Park neighborhood. The description in Section 4.4, Cultural Resources has been revised to correctly identify the location of the project site in the South Land Park neighborhood and is included in Chapter 2, Changes to the Draft EIR.

- 20-7** The comment reiterates that the project site is located in the South Land Park neighborhood and not the Land Park neighborhood and goes on to state the analysis in the Cultural Resources section does not provide context for development of the South Land Park neighborhood and is requesting this be added to the Draft EIR.

The commenter is correct, the project site is located in the South Land Park neighborhood and revisions have been made to the cultural resources report and the cultural resources section of the Draft EIR to clarify that the project site is in fact located in the South Land Park neighborhood. A copy of the revised Cultural Resources report is included in Chapter 2, Changes to the Draft EIR as well as updates to the text of Section 4.4, Cultural Resources. The addition of new context specific to the South Land Park neighborhood is not required, as there is no new or additional specific South Land Park context that would alter the findings of the cultural resources study. In general, the history of neighborhoods is not always neatly confined to established boundaries, and the history of communities is often more significant than the history of specific neighborhoods. This is especially true in this case, where the history of the area began with the establishment of Sutter/Sutterville in the 1840s. Part 3 of the City's General Plan includes community plan areas. The Land Park Community Plan area (as well as the Land Park Community Plan) combines numerous neighborhoods (including South Land Park), largely due to the fact that they are historically related. This document also primarily references the history of Land Park. In addition, there is little information available about the specific histories of South Land Park or Hollywood Park, largely because they are directly tied to the better known history of the development of Sutter/Sutterville and Land Park, and because their development was directly influenced by that of Land Park. Information has been added to the Cultural

Resources report to clarify that the residential development of South Land Park occurred later than that of Land Park, with most properties built between the late 1940s and 1950s. However, Capital Nursery was constructed in 1936 (over a decade before much of South Land Park was developed), therefore its early history is directly tied to that of the Land Park community.

- 20-8** The comment is referring to a drainage ditch located in the northwest corner of the project site that was used for drainage from the project site exiting between property on Marion Court and Babich Street. The commenter is concerned this area may contain contaminants and is requesting the analysis address if the project would contribute to potential contamination and is requesting mitigation be included that require additional soil and groundwater testing be done, if warranted.

There is no evidence of the drainage ditch referred to by the commenter in the Phase I Environmental Site Assessment, which includes review of historical aerial photographs (Draft EIR Appendix E). The commenter provides no evidence or source to substantiate the presence of a former drainage ditch. Even if one were present at one time, drainage is now conveyed through the City's municipal storm drain system which underlies City streets and drainage easements. As indicated in Draft EIR Appendix F (Preliminary Grading and Drainage Exhibit), a 12-inch underground storm drain line runs behind the residences on Marion Court and wraps around the northwestern corner of the project boundary for conveyance to the north along Babich Avenue. The Phase II Environmental Site Assessment included sufficient boring locations and soil testing to develop an understanding of site conditions and to substantiate impact conclusions in Section 4.6 of the Draft EIR.

The analysis and conclusions under Draft EIR Impact 4.6-1 adequately addresses the commenter's concern. The last paragraph on page 4.6-13 acknowledges that unanticipated areas of impacted soils could be encountered. Mitigation Measure 4.6-1 (Draft EIR p. 4.6-14) requires preparation and implementation of a Hazardous Materials Contingency Plan should grading or construction activity reveal evidence of soil contamination (e.g., suspicious odors, non-soil material, or stained soils). This mitigation measure would adequately protect public health and the environment should evidence of soil contamination be found along the western portion of the project site. As part of the project, soils would be excavated and replaced by engineered fill around structure foundations, engineered base material under parking areas and driveways, and prepared soils for landscaped areas. Given the post-project conditions and water quality BMPs discussed in Section 4.7, Hydrology, Water Quality and Drainage, there would be no opportunity for soils to be mobilized off site.

- 20-9** The comment alleges the project site includes a population of rats that would be displaced by project construction that could pose health hazards to residents and is requesting environmentally sound mitigation measures be included to exterminate the rats.

Rats and other rodents are common in urban and suburban areas throughout the City. If the project is approved and the site is cleared for development it is likely any rodents including mice, rats, squirrels, raccoons and possums that may be living on the site would be forced to relocate elsewhere. Rodents living in urban environments find food in a number of places, including areas where dumpsters and trash is stored, dog and cat food left outside, compost bins, birdfeeders, and fruit from trees. Given the project site does not contain a secure source of food it is likely rodents in the area are accessing food from the surrounding area and using the project site for burrows or just passing through the site to access food. No rats were observed on the project site during the biological field visit.

CEQA does not identify vectors, such as rats, as a health and safety issue and does not require an EIR to evaluate the potential displacement of rats. In addition, neither the City of Sacramento nor the County have any procedures in place or a requirement to exterminate or remove rats to address public health concerns.

- 20-10** The comment is noting that because there will be storm drain overflows and flooding would occur during 10 year and 100 year storm events, options for providing more permeable surfaces could be helpful in reducing flooding.

The change in impervious surface was considered in Chapter 4.7, Hydrology, Water Quality and Drainage and in the drainage report included in Appendix F. The commenter is referred to Impact 4.7-3 for an analysis of the project's impacts on flood flows, and an explanation of why it does not violate the City's "Do No Harm" policy (Draft EIR p. 4.7-25). Water quality BMPs would be required to address typical rain events and are anticipated to consist of underground storage cells ("Contech" or equivalent) and/or stormwater treatment filters (i.e., rechargeable, self-cleaning, media-filled cartridges to absorb and retain pollutants from stormwater runoff) (Draft EIR p. 4.7-24). It should be noted that permeable pavement and similar designs are only effective for rain events of low intensity. Permeable pavement would not be helpful in reducing flooding (i.e., rain events of 10 year and higher recurrence intervals), since the infiltration capacity of permeable pavement would be immediately overwhelmed in such events.

Nevertheless, the City will consider the commenters suggestion of permeable pavement as a water quality BMP for more common/typical rain events.

- 20-11** The comment is concerned that there is a safety issue for bicycles accessing the project site from the north along from Freeport Boulevard and requests a setback be included from the project entrance along Freeport Boulevard.

The revised plan for the project, as resubmitted to the City on September 8, 2016 (available on the City's website <http://www.cityofsacramento.org/Community-Development/Planning/Major-Projects>), incorporates a bike lane along the west side of Freeport Boulevard along the project frontage. No on-street parking would be provided along the west side of Freeport Boulevard along the project frontage, thereby eliminating the issue of limited sight distance for exiting motorists.

- 20-12** The commenter is requesting more information on the types of bike racks that would be provided in order to ensure the racks are designed properly and are solidly constructed.

As shown in revised Figure 2-6 in Chapter 2, Chan ges to the Draft EIR, bike racks would be located throughout the project site in areas that are visible and accessible. The types of bike racks to be installed and placement of the racks would be consistent with the City's Bike Rack Design and Placement Guidelines.

- 20-13** The comment notes that the project's Climate Action Checklist included in Appendix B, states that the project will meet the City's renewable energy requirement by exceeding the State's Title 24 energy efficiency standards by 5% and suggests that the City is missing an opportunity to further their goals of reducing greenhouse gases.

The City's Climate Action Checklist requires commercial projects greater than 25,000 square feet to generate a minimum of 15% of the project's energy demand on-site. In lieu of installing PV systems that would generate 15% of the projects total energy, the City states a project may exceed energy efficiency standards of Title 24, by a minimum of 5% for commercial projects. The project is consistent with the City's requirements.

- 20-14** The comment states that the No Project/No Development alternative is not valid under CEQA because it does not evaluate an alternative assuming the continuation of the existing plan, policy or operation.

The No Project/No Development alternative evaluates considers the effects of forgoing the project entirely, and leaving the project site in its current (existing) condition, pursuant to CEQA Guidelines Section 15126.6(e)(1)(2). The Draft EIR also evaluated a No Project/Existing Zoning alternative that evaluated development of the project site consistent with the current land use designation and zoning, consistent with Section 15126.6 (e)(3)(A). The alternatives evaluated for the project meet the CEQA Guidelines and are all valid alternatives.

- 20-15** The comment is questioning if test borings and additional soil testing would be required if the project were developed under the existing residential zoning, located in the western portion of the site.

Results from the Phase II ESA soil investigation indicate that impacts related to past use and storage of pesticides and petroleum on site are minimal and do not necessitate any corrective action and the potential impact to people from pesticides, metals and petroleum hydrocarbons present on the project site is considered less than significant. If the project included residential uses the need for additional soil samples or borings would probably not be required unless the city determined additional testing was warranted.

- 20-16** The comment is referring to the analysis of alternative 2, No Project/Existing Zoning, and is asking if the city would allow only one access to the project site if vehicle access via the adjacent commercial parking lot is not allowed.

Typically, the City requires two points of access for residential projects, but given the location of the proposed residences under this alternative the City may allow an Emergency Vehicle Access (EVA) only access through the adjacent parking lot. An EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project (CEQA Guidelines Section 15126.6(d)). The Draft EIR provides basic information that allows a meaningful evaluation, but does not provide a detailed site plan or project description because this level of detail is not required under CEQA.

- 20-17** The comment states that the No Project/Existing Zoning alternative does not meet the requirement of an alternatives analysis because it results in new impacts and would be infeasible.

CEQA requires an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation (Guidelines Section 15126.6(a)). In addition, as discussed above, CEQ requires a “no project” be evaluated to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project evaluation can include evaluation of the continuation of the existing plan, policy or operation into the future. The lead

agency should analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6(e)(3)(c). Which, for the purposes of this project included evaluation of developing the project site consistent with the City's existing land use designations and zoning. There is no requirement under CEQA that the no project alternative attain most of the basic project objectives and avoid or substantially lessen any of the significant effects of the project.

Moreover, under CEQA, project alternatives are developed in order to give agency decisionmakers options for reducing or eliminating the significant environmental effects of proposed projects, while still meeting most if not all of the basic project objectives. "Alternatives and mitigation measures have the same function – diminishing or avoiding adverse environmental effects." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 403.) Here, the adoption of mitigation measures set forth in the Draft EIR are sufficient to reduce all significant impacts to less than significant levels. Under CEQA then, the City has no obligation even to consider the feasibility of the alternatives set forth in the EIR. (*Laurel Hills Homeowners Association v. City Council of City of Los Angeles* (1978) 83 Cal.App.3d 515, 521 ("Laurel Hills").)

- 20-18** The comment states that an alternative that evaluates opening Sherwood Avenue or Babich Avenue to traffic would result in additional impacts and would have no environmental advantage compared to the project. It is not clear what alternative the commenter is referencing because none of the alternatives evaluated include opening either Sherwood Avenue or Babich Avenue to through traffic (or even pedestrian/bicycle access). Alternative 3, noted in the comment as the alternative that includes opening either Sherwood Avenue or Babich Avenue to through traffic, includes relocating the Raley's store closer to Freeport Boulevard, as shown in Figure 5-1 in the Draft EIR. This alternative does not contemplate opening either Sherwood Avenue or Babich Avenue to through traffic.



## Comment Letter 21

September 14, 2016

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

RE: P15-048, Land Park Commercial Center

Dear Ms. Mahaffey,

I am submitting this comment letter in response to the Notice of Availability dated 01 August 2016, "Notice of Availability--Draft Environmental Impact Report ["DEIR"] for the Land Park Commercial Center Project." I would like to thank you and your office for your hard work and close attention to this matter, as well as for the opportunity to submit this letter for your consideration. Please note that this letter is not a comprehensive representation of my concerns with the project and the DEIR, and that I reserve the opportunity to concur with other comments and submit additional material if and when such opportunity arises.

I. Project Description

The proposed project ("the Project") consists of six new building that would be constructed in the Land Park Community Plan Area, at the intersection of Wentworth Avenue and Freeport Boulevard which includes the former Capital Nursery site. (Notice of Preparation ("NOP") at 2). The project site encompasses 9.87 acres fronting on Wentworth Avenue and Freeport Boulevard. Existing buildings and greenhouses that were part of the former Capital Nursery (closed in 2012) along Freeport Boulevard would be demolished, along with two small vacant residences located on Wentworth Avenue. The project would construct a new one-story 55,000 square foot grocery store and five freestanding buildings that would provide approximately 53,980 square feet of retail uses. A total of 457 on-site surface parking spaces would be provided along with new trees, landscaping, and public gathering places. (NOP at 2).

The Project abuts large-lot single-family residences to the north and west, including a significant number of homes along Marion Court. The Project's anchor is a 55,000 square foot full-service Raley's grocery store, which will displace the current Raley's store just south of the Project site. In addition to a Raley's grocery store the project proposes to construct an additional six buildings to include 53,165 sf of retail space for a total of 108,165 sf.

## II. Statutory, Regulatory and Legal Setting

The California courts have consistently and repeatedly pointed out that "the EIR is the heart of CEQA."<sup>1</sup> "EIR's should be prepared as early in the planning process as possible to enable environmental considerations to influence project, program, or design."<sup>2</sup> Among the responsibilities of the lead agency for a given project are to "independently review and analyze"<sup>3</sup> the draft EIR prior to approval of the final EIR ("FEIR"), which must reflect "the independent judgment" of the agency.<sup>4</sup> This is an important statutory prescription because the EIR consultant is paid for by the project applicant, and the independent judgment of the agency must be preserved.<sup>5</sup>

EIRs must be "written in plain language,"<sup>6</sup> and the text of the EIR should strive for less than 150 pages, or for extremely complex projects less than 300.<sup>7</sup> An EIR must contain at a minimum a brief summary, project description, description of the environmental setting, detailing of significant environmental effects, a table of list of mitigation measures, analysis of

21-1

<sup>1</sup> *Laurel Heights Improvement Ass'n of San Francisco, Inc. v. Regents of the University of California* ("Laurel Heights II") (1993) 6 Cal.4<sup>th</sup> 1112, 1123)

<sup>2</sup> See CEQA Guidelines § 15004, subd. (b).

<sup>3</sup> Public Resources Code § 21082.1, subd. (c)(1)-(3).

<sup>4</sup> *Id.*

<sup>5</sup> See *Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1452-56.

<sup>6</sup> CEQA Guidelines, § 15140.

<sup>7</sup> CEQA Guidelines, § 15141. I would ask your office to note that the main textual body of the Land Park Commercial Center Project DEIR exclusive of appendices is over five hundred pages. Inclusive of appendices, the DEIR is nearly 2,000 pages. The sheer size and scope of the DEIR has made thorough analysis of the disparate elements and consideration of the project difficult, particularly in the time frame during which the public must digest and formulate meaningful responses to the project.

alternatives to the proposed project,<sup>8</sup> significant irreversible changes, growth-inducing impact of the proposed project, detailing of effects not found to be significant, cumulative impacts, and economic social effects.

Among the purposes of circulating the draft EIR to the public are “disclosing agency analysis,” “detecting omissions,” “checking for accuracy,” and “soliciting counter proposals.”<sup>9</sup>

Several regional agencies impact the project. Most important of which is the Sacramento Metropolitan Air Quality Management District (SMAQMD), via the SMAQMD’s Basic Construction Emission Control Practices.

Locally, Title 17, the Planning and Development title of the Sacramento Municipal Code, the City of Sacramento’s General Plan (“General Plan 2035”) govern the subject property. The hierarchy of land use regulations runs (1) the general plan; (2) any specific plan; (3) the zoning code; (4) specific relief from the zoning code (i.e., conditional use permit); and (5) subdivision maps.<sup>10</sup> Each of the relevant statutory, regulatory, and legal will be considered as appropriate in the subsequent sections.

21-1  
Cont.

### III. Summary of Comments

Generally, this comment letter is divided into sections addressing perceived deficiencies in the various elements of the DEIR as well as with the project proposal overall, including the amending of General Plan 2035 and rezoning of the property. My comments can be summarized as follows:

1. The proposed amendment to General Plan 2035 is inappropriate because it conflicts with the goals of the General Plan, and given the recent updating of the General Plan in 2015; and
2. The proposed rezoning of the property is inappropriate as a species of spot-zoning which conflicts with the goals of General Plan 2035; and

21-2

<sup>8</sup> Although “CEQA establishes no categorical legal imperative as to the scope of alternatives to be analyzed,” the state Supreme Court has outlined the typical categories: “on-site alternatives... and off-site alternatives, which usually involve similar uses at different locations.” *Citizens of Goleta Valley v. Board of Supervisors (“Goleta II”)* (1990) 52 Cal.3d 553, 556; Public Resources Code § 21100, subd. (b)(4).

<sup>9</sup> CEQA Guidelines, § 15200 subds., (a)-(f).

<sup>10</sup> *Orange Citizens for Parks and Recreation v. Superior Court* (2013) 159 Cal.Rptr.3d 249.

3. The DEIR analysis of project alternatives is inadequate and insufficient; and
4. The DEIR analysis of potential cumulative impacts, given the development of a high-intensity use with transitional residential uses and the availability for development of an already-intense commercial use at the former grocery site, is inadequate and insufficient; and
5. Several of the DEIR's proposed Mitigation Measures fail to meet statutory and regulatory requirements because they are inchoate, non-binding or otherwise speculative.

21-2  
Cont.

#### IV. The General Plan Amendment and Consistency with General Plan 2035

The General Plan designates the subject property as part of a “suburban neighborhood low density” and “suburban neighborhood medium density,” area.<sup>11</sup> These two designations are not accidental: they represent a sensitive transition from the surrounding urban corridor and busy Freeport Boulevard to the large-lot low density housing neighborhood west of the subject property.

In California the General Plan is the “constitution” of future land development, and amendment of a general or specific area plan to accommodate a rezoning of a particular property is therefore disfavored, as it trivializes the purposes of the general plan. This is particularly true where the general plan amendment is insensitive to the goals and purposes of the general plan, and where the subject property use would cause conflict with surrounding uses. The proposed project has a discomfiting satisfaction of these issues.

21-3

General Plan amendments are legislative acts and won't be disturbed unless there are conflicts or contradictions between such amendments and the internal policies of the general plan, or where an amendment fails to advance the policies of the general plan.<sup>12</sup> Where a general plan amendment frustrates the policies of a general plan, it is inappropriate.

<sup>11</sup> General Plan 2035, at 3-LP-7.

<sup>12</sup> See *Families Unafraid to Uphold Rural El Dorado County v. County of El Dorado* (1998) 62 Cal.App.4<sup>th</sup> 1332, 1341; see also *Napa Citizens for Honest Government v. County of Napa Board of Supervisors* (2001) 91 Cal.App.4<sup>th</sup> 342.

That appears to be the case here. The intensity and orientation of the general plan amendment and the rezoning it effects frustrates numerous goals and policies of the general plan, particularly the land use elements. Numerous general plan policies are implicated by the project's reassignment to an urban corridor from a suburban low- and medium-density designation. Non-exclusively, they include:

- LU 2.1.7,
- LU 2.4,
- LU 2.4.2,
- LU 2.5,
- LU 2.5.1,
- LU 2.7,
- LU 2.7.3,
- LU 2.7.7,
- LU 6.1,
- LU 6.1.10,
- LU 2.1.2,
- LU 2.7.3,
- LU 2.7.7,
- LU 6.1.12,
- ER 7.1.3,
- ER 6.1,
- HCR 2.1.1,
- ER 1.1.7,
- EC 3.1,
- EC 3.1.11;
- U 4.1.5;
- M 1.2.2;
- M 2.1.7;

21-3  
Cont.

#### V. Analysis of Draft EIR Insufficiency

The core deficiency of the draft EIR and the proposed project is hopelessly entwined with the numerous General Plan conflicts referred to above. The DEIR simply has not properly addressed the land use conflicts because to do so would undermine the Project perhaps fatally.

#### *Inadequacy of Project Alternatives*

The DEIR does not adequately take up the reasonable project alternatives. This is for several reasons. First, the Master EIR ("MEIR") was prepared and updated for the General Plan 2035

21-4

not two years ago, and the documentation and data that support the current land use designations for the property, and their satisfaction of the General Plan's goals and policies are settled. However, the handling of the project alternatives, particularly the "as-is" alternative, is ad hoc and conclusory, and offer little evidence and no real data to show how the general plan's policies are being satisfied.

21-4  
Cont.

Therefore and secondly, the project alternatives are inadequate as lacking in substantial evidence in the record to overcome the MEIR. In the "as-is" alternative, the DEIR assumes "construction of the site to develop up to 40 residential units and up to a 250,000 sf commercial structure would involve earthwork encompassing the same total site area[.]"<sup>13</sup> Because mitigation measures for the "as-is" alternative would be same as for the Project, the potential environmental impacts, particularly for transitions, neighborhood character, traffic circulation, noise, and harmonious land uses, would be *less significant* than those for the proposed Project.

21-5

The DEIR suggests that because the "as-is" alternative allows for a more intense use on the commercial property, a significantly larger structure could be built. However, it is precisely because the residential component would stay in place that a more intense (but smaller in land area) use would be less impactful than the current project. This is because with no change to the general plan and no rezoning, the surrounding residential properties would be buffered by transitional residential uses: large-lot single-family homes and smaller-lot housing, allowing a buffer of forty residential uses between the intense commercial use and the surrounding residential area.

21-6

Because the MEIR contemplated this use, such development cannot be more "more impactful" in a meaningful sense given the objectives of the general plan. To the contrary, all of the general plan policies meant to control environmental impacts (enunciated in the MEIR) are by definition already accounted for and less impactful. The DEIR elides this problem by focusing on the use on the commercial property rather than the entire area ("the remaining 70,000 sf of retail could include a mix of retail services, but the size and scale of the building w

21-7

<sup>13</sup> DEIR at 5-8.

ould be much larger than any of the existing neighborhood-serving commercial uses in the neighborhood”)<sup>14</sup> without regard to the fact that the general plan and MEIR contemplate this fact and solve for it by requiring transitional residential uses.

21-7  
Cont.

At the same time, the DEIR offers no substantial evidence as to why the project objectives could not be served by this alternative: the Raley’s grocery store could certainly still be a “flagship” with a store built under the current commercial zoning, since what defines “flagship” per the DEIR’s own terms has to do with aesthetic internal design and superficial exterior design; the project alternative itself admits that the current zoning could provide a mix of retail services; there could still be a “welcoming neighborhood outdoor dining and gathering place,” (or at least, there is no evidence in the record to suggest this would not be accomplished); the buildings could still be “aesthetically pleasing,” and in two instances, the “as-is” alternative would be better acclimated to satisfying project objectives: the project would be more pedestrian friendly with transitional residential uses, and the buildings would be better located to minimize potential noise disturbances with transitional residential uses.

21-8

Similar problems arise with the “alternate site plan” and “reduced intensity” alternatives. In each instance, the DEIR does not offer substantial objective evidence to allow the City to properly dismiss the alternatives as not desirable. To the contrary, in each instance the alternative not only met the objectives of the project, but often offered no significant impacts that would not be accounted for by existing mitigation measures or some species of those mitigation measures.

21-9

Looked at as a whole therefore, the project alternatives analysis fails to adequately provide evidence to the City to properly analyze project alternatives given that the Project requires a departure from the 2015 General Plan 2035, as required by CEQA Guidelines § 15126.6, subd. (a) (“describe a range of reasonable alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the projects but would avoid or substantially lessen any of the significant effects of the project *and evaluates the comparative merits of the alternatives.*” (emphasis added).

21-10

The evidence in the DEIR as currently constituted clearly leaves two alternatives as environmentally superior: the “as-is” alternative and the lower-intensity alternative. As to the

21-11

<sup>14</sup> DEIR at 5-10.

“as-is” alternative, this is because: (a) centrally, it falls within the purview of the MEIR, which is settled as satisfying the General Plan’s policies of sensitive transitions and mitigation of impacts from commercial development; (b) it details several lesser environmental impacts; and (c) it accomplishes nearly all, if not all, project objectives, with only conclusory and speculative statements as to why it *may* not achieve some objectives.

The “lower-intensity” alternative is identified in the DEIR as the environmentally superior alternative, but even those potential significant negative impacts rely on speculative or non-objective evidence.<sup>15</sup>

*Inadequacy of Mitigation Measures*

Several of the mitigation measures fall short of the CEQA requirement that mitigation measures be binding, enforceable, and non-speculative. CEQA Guidelines require that mitigation measures be non-speculative (that is, they must state their terms in the DEIR itself, rather than merely aver to plans of the project proponent) and binding in order to be truly counted as mitigating potentially significant environmental impacts.

The following mitigation measures should include specific implementation requirements with non-speculative language and more importantly with remedies for the City should such measures not be properly implemented and monitored; in some instances, a general plan conflict requires on-going monitoring be implemented as a mitigation measure:

- MM 4.6-3;
- MM 4.8-1;
- MM 4.10-5;
- LU 2.1.7 requires on-going monitoring;
- LU 2.7 requires on-going monitoring;
- LU 2.1 requires a binding mitigation measure for implementation of proper “architectural vernacular” and sensitive transitions;

21-11  
Cont.

21-12

<sup>15</sup> See DEIR at 5-27.



- LU 2.1.2 requires a binding mitigation measure to ensure “sensitive transitions” given the conflict with the General Plan 2035 requirement of sensitive transition;
- LU 6.1.10 may require a mitigation measure, but it is possible that none is feasible given the direct conflict of the Project with this General Plan 2035 policy;
- ER 7.1.3 lacks a binding mitigation measure and lacks an enforceable, on-going monitoring requirement;
- ER 6.1.13 is frustrated by the project, and no appropriate, binding mitigation measure is proposed;
- ER 3.1.6 requires on-going monitoring in the form of a binding, on-going monitoring mitigation measure;
- ER 1.1.7 is inchoate and requires an on-going monitoring mitigation measure with opportunity for citizen participation and remedy for the City;
- U 4.1.5 is inchoate and requires an on-going monitoring mitigation measure with opportunity for citizen participation and remedy for the City;
- EC 3.1 requires an on-going monitoring mitigation measure with opportunity for citizen participation and remedy for the City;
- EC 3.1.11 should be binding and include a remedy for the City;
- U 4.1.5 is inchoate and requires an on-going monitoring mitigation measure with opportunity for citizen participation and remedy for the City;
- M 1.2.2 should require renewed analysis given the potential for increased cumulative impact (i.e., the current traffic analysis is insufficient).



21-12  
Cont.

*Inadequacy of Analysis of Future Activity/Cumulative Impacts*

The DEIR fails to adequately address the cumulative impact, particularly on surrounding properties, of a development that eliminates transitional residential uses and develops a high-intensity commercial use, while leaving the current property available for just-as-intense uses. Section 15355, subd. (b) of the CEQA Guidelines defines “cumulative impacts” as “[T]wo or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts...Cumulative impacts can result from individual minor but collectively significant projects taking place over a period of time.” The DEIR does not provide objective, non-speculative analysis of the long-term cumulative impact of developing a high-intensity commercial use on formerly residential properties abutting single family residence, where the use is leaving open a just-as-intense use on a neighboring property. Such analysis is necessary not only for the traffic analysis, but for greenhouse gasses, crime and public resources, light, noise, pedestrian circulation, and in particular urban decay.

21-13

VI. Conclusion

I am submitting these non-exhaustive comments in the hope that the City shall respond and implement measures that are consistent with the General Plan 2035, the MEIR prepared for the General Plan 2035, and properly consider alternatives to the plan as constituted. In addition, please include as public comments to the Draft EIR, and attached to this letter, a petition signed by many residents neighboring the site for Project P15-048 Land Park Commercial Center, opposing the proposed changes in zoning.

21-14

Again, I would like to thank you for your office’s attention to this matter.

Sincerely,

Catherine Bunch  
4650 Marion Court  
Sacramento CA 95822

Cc: Ann Collentine, Elise Gumm, Steve Hansen, Jay Schenirer, Jose Bodipo-Memba, Cornelious Burke, Douglas Covill, William Farrell, Todd Kaufman, Alain LoFaso, Lynn Lenzi, Darryl Lucien, Philip Pluckebaum, Matthew Rodgers, Jia Wang-Connelly, Joseph Yee

## Protect Land Park

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for our neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, massive parking lot with overpowering parking lot lights, pollution and poor air quality, increased traffic and congestion on Freeport Blvd and surrounding surface streets. We cannot stand for a project that will rezone the area to eliminate the low-density housing buffer area that the site was always intended to be. **We oppose a rezone**, and we urge the city council to make sure this project fits into the character of Land Park and the surrounding residents' residences.

21-15

Name John Hafkenschief Signature John Hafkenschief  
Address 1611 Alvina Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Brian Seifert Signature Brian Seifert  
Address 1606 Alvina Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Debra Seifert Signature Debra Seifert  
Address 1606 Alvina Ave. Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Judy Ansell Signature Judy Ansell  
Address 1620 ALVINA AVE Sacramento, CA 95822  
Phone \_\_\_\_\_

Name MATTHEW MEKE Signature Matthew Meke  
Address 1620 ALVINA AVE Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Cynthia Enghoff Signature Cynthia Enghoff  
Address 1600 Alvina Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Joe Hafkenschief Signature Joe Hafkenschief  
Address 1600 ALVINA AVE Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Marnie Lynch Signature Marnie Lynch  
 Address 4510 Mead Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_ email \_\_\_\_\_

Name Mark Lovington Signature Mark Lovington  
 Address 4433 Mead Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Jeanne Monahan Signature Jeanne Monahan  
 Address 4433 Mead Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Sharla Vassey Signature Sharla Vassey  
 Address 1621 Alvin Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name ROSA VASSEY Signature Rosa Vassey  
 Address 1621 Alvin Avenue Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Corinne Cerecures Signature Corinne Cerecures  
 Address 4453 Mead Ave. Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name DOLores KLINE Signature Dolores Kline  
 Address 4621 MEAD AVE. Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Melodie Zadeh Signature Melodie Zadeh  
 Address 4641 Mead Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name SAYOKO IWAKI Signature Sayoko Iwaki  
 Address 4653 MEAD AVE. Sacramento, CA 95822  
 Phone \_\_\_\_\_ email \_\_\_\_\_

Name Catherine Bunch Signature Catherine Bunch  
 Address 4650 Marion Court Sacramento, CA 95822  
 Phone \_\_\_\_\_

## Protect Land Park

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for this neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, massive parking lot with overpowering parking lot lights, pollution, and poor air quality, increased traffic and congestion on Lincolnton Drive and surrounding surface streets. We cannot support a project that will rezone the area to eliminate the low-density housing. We claim that the site was always intended to be a low-density neighborhood. We oppose a rezoning and would like the area to remain a low-density neighborhood. We oppose a rezoning and would like the area to remain a low-density neighborhood.

Name: John White Signature: [Signature]  
Address: 1500 Sherwood Ave Sacramento, CA 95822  
Phone: [Blank]

Name: Mina White Signature: [Signature]  
Address: 1500 Sherwood Ave Sacramento, CA 95822  
Phone: [Blank]

Name: Lynette Munoz Signature: [Signature]  
Address: 1516 Sherwood Ave Sacramento, CA 95822  
Phone: [Blank]

Name: Anne K. Foar Signature: [Signature]  
Address: [Blank] Ave Sacramento, CA 95822  
Phone: [Blank]

Name: Alex Vukobrat Signature: [Signature]  
Address: 1513 Sherwood Avenue Sacramento, CA 95822  
Phone: [Blank]

Name: Janice Garza Signature: [Signature]  
Address: 1516 Sherwood Ave Sacramento, CA 95822  
Phone: (916) 455-1556

Name: Rosmary Neves Signature: [Signature]  
Address: 1435 Sherwood Ave Sacramento, CA 95822  
Phone: [Blank]

## Protect Land Park

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for our neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, massive parking lot with overpowering parking lot lights, pollution and poor air quality, increased traffic and congestion on Freeport Blvd and surrounding surface streets. We cannot stand for a project that will rezone the area to eliminate the low-density housing buffer area that the site was always intended to be. **We oppose a rezone**, and we urge the city council to make sure this project fits into the character of Land Park and the surrounding residences.

Name PAUL FONG JR Signature Paul Fong, Jr  
 Address 4600 MARION 4530 MARION CT Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name JAMES LOWRY Signature JM Lowry  
 Address 4611 MARION COURT Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Ben Williams Signature B Williams  
 Address 4541 Marion Court Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Albert Brodie Signature Albert W. Brodie  
 Address 4417 Marion Ct Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Cori Traub Signature Cori Traub  
 Address 1724 Sherwood Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Lisa Ashley Signature L Ashley  
 Address 1744 Sherwood Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

<sup>Louise</sup> Name ANN FEIL Signature Ann Feil  
 Address 1732 Sherwood Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Lorraine Feil Signature Lorraine Feil  
Address 1732 Sherwood Avenue Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Mary Gyorke Signature Mary Gyorke  
Address 1701 Sherwood Ave, Sacramento, CA 95822  
Phone \_\_\_\_\_

Name PETER DANNENTZGER Signature Peter Dannentzger  
Address 1832 SHERWOOD AVE Sacramento, CA 95822  
Phone \_\_\_\_\_

Name LORI DANNENTZGER Signature Lori Dannentzger  
Address 1832 SHERWOOD AVE Sacramento, CA 95822  
Phone \_\_\_\_\_ email \_\_\_\_\_

Name Clare Bonnell Signature Clare Bonnell  
Address 1433 Wentworth Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Rachel McDaniel Signature Rachel McDaniel  
Address 1720 Wentworth Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Sacramento, CA 95822  
Phone \_\_\_\_\_ email \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Sacramento, CA 95822  
Phone \_\_\_\_\_ email \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Sacramento, CA 95822  
Phone \_\_\_\_\_ email \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Sacramento, CA 95822  
Phone \_\_\_\_\_ email \_\_\_\_\_



## Protect Land Park

Land Park residents want a responsible and appropriate development at the Capitol Nursery site. The proposal to bring a Raley's as part of a bloated, overflowing strip mall is a terrible fit for our neighborhood. We cannot support a project that will encroach on our homes with non-stop delivery truck noise, massive parking lot with overpowering parking lot lights, pollution and poor air quality, increased traffic and congestion on Freeport Blvd and surrounding surface streets. We cannot stand for a project that will rezone the area to eliminate the low-density housing buffer area that the site was always intended to be. **We oppose a rezone**, and we urge the city council to make sure this project fits into the character of Land Park and the surrounding residents.

1. Name Teresa Kato Signature Teresa Kato - 8/4/2016  
Address 1918 Wentworth Ave. Sacramento, CA 95822

2. Name Valerie Boesen Signature Valerie Boesen  
Address 1912 Wentworth Sacramento, CA 95822  
com

3. Name Juan R. Lopez Signature JRL 8/4/2016  
Address 1830 Wentworth Sacramento, CA 95822  
Phone \_\_\_\_\_

Name GEORGINA AZUAR Signature Georgina Azuar  
Address 1718 Wentworth Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Rory Tira Signature Rory Tira  
Address 1612 Wentworth Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Janet Anderson Signature Janet Anderson  
Address 1606 Wentworth Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Regina Tochtermann Signature Regina  
Address 1586 Wentworth Ave Sacramento, CA 95822  
Phone \_\_\_\_\_



Name Art Morgan Signature Art Morgan  
Address 1500 Wentworth Ave Sacramento, CA 95822  
Phone \_\_\_\_\_

Name ELEN MORGAN Signature Elen Morgan  
Address 1500 WENTWORTH AVE Sacramento, CA 95822

Name MICHAEL NEVIN Signature Michael Nevin  
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F. \_\_\_\_\_

Name Angie Nevin Signature Angie Nevin  
Address 1509 Wentworth Ave Sacramento, CA 95822

Name Karl Wallner Signature Karl Wallner  
Address 1813 Wentworth Sacramento, CA 95822

Name Geraldine Dana Signature Geraldine Dana  
Address 1723 Wentworth Sacramento, CA 95822

Name Arlene Thompson Signature Arlene Thompson  
Address 1613 Westworth Ave Sacramento, CA 95822

Name Anton L. Thompson Signature Anton L. Thompson  
Address 1613 Wentworth Ave Sacramento, CA 95822

Name Sue Bollig Signature Sue Bollig  
Address 1511 Wentworth Ave Sacramento, CA 95822

Name Linda Hennessey Signature Linda Hennessey  
Address 1529 Wentworth Ave Sacramento, CA 95822

Name Michael Hennessy Signature M. Hennessy  
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Name AMOS P. FREEMAN Signature Amos P. Freeman  
 Address 1918 WENTWORTH AVE Sacramento, CA 95822

Name RICHARD TORRES Signature Richard Torres  
 Address 1515 WENTWORTH AVE Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Naomi Ledet Signature Naomi Ledet  
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 Phone \_\_\_\_\_

Name Shawn Ledet Signature Shawn Ledet  
 Address 1479 Wentworth Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name CARLY LEFEBREYER Signature Carly Lefebreyer  
 Address 1465 WESTWORTH AVE Sacramento, CA 95822

Name LARRY BARK Signature Larry Bark  
 Address PO Box 189234 Sacramento, CA 95822 95822

1470 WENTWORTH AVE  
 Name THOMAS SAEDHOU Signature Thomas Saedhou  
 Address 1617 WENTWORTH AVE Sacramento, CA 95822

Name Robert G. Valentini Signature Robert G. Valentini  
 Address 1621 Wentworth Ave Sacramento, CA 95822

Name Terry Sheffield Signature Terry Sheffield  
 Address 2145 Irvin Way Sacramento, CA 95822

Name Alex Kane Signature [Signature]  
Address 1441 Westworth Ave Sacramento, CA 95822

Name Darrell McDaniel Signature [Signature]  
Address 1722 Westworth Ave Sacramento, CA 95822  
P

Name Paul Kunz Signature [Signature]  
Address 4520 Marion Ct Sacramento, CA 95822

Name Jamie Ng Signature [Signature]  
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Phone

Name Seth Statin Signature [Signature]  
Address 4549 Marion Ct Sacramento, CA 95822  
Phone

Name D.M. Siebert Signature [Signature]  
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Phone

Name Kevin Williams Signature [Signature]  
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Name Brandon Shersets Signature [Signature]  
Address 4655 Marion Ct. Sacramento, CA 95822

Name Kenneth R. Schroeder Signature [Signature]  
Address 4525 Marion Ct. Sacramento, CA 95822  
Phone email

Name Janis Schroeder Signature [Signature]  
Address 4525 Marion Ct. Sacramento, CA 95822

Name BRIAN SCHROEDER Signature Brian Schroeder  
Address 4550 MARION CT. Sacramento, CA 95822

Name Travis Limeberger Signature Travis Limeberger  
Address 4620 marion court Sacramento, CA 95822

Name Kelley Sknapp Signature Kelley Sknapp  
Address 4508 marion ct Sacramento, CA 95822

Name Sidney Zimmer Signature Sidney J. Zimmer  
Address 4497 Marion Ct Sacramento, CA 95822

Name Ann Collettino Signature Ann Collettino  
Address 4621 Marion Ct. Sacramento, CA 95822

Name Dot Connor Signature Dot Connor  
Address 4640 Marion Ct Sacramento, CA 95822

Name Joseph A. SPENCER Signature Joseph A. Spencer  
Address 2008 ARGAIL WY Sacramento, CA 95822  
Phone \_\_\_\_\_

Name Russ Dunn Signature Russ Dunn  
Address 2009 Argail Way Sacramento, CA 95822

Name Paul Watson Signature Paul Watson  
Address 2009 Argail Way Sacramento, CA 95822

Name Brian Edwards Signature Brian Edwards  
Address 2009 Argail Way Sacramento, CA 95822

Name John Scott Smith Signature [Signature]  
 Address 1930 Sultenwille Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Cayitana Schmidt Signature Cayitana See  
 Address 125 Argail Way Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name NAOMI BARCELÓ Signature [Signature]  
 Address 1916 ARGAIL WAY Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Deborah Nichols Signature Deborah Nichols  
 Address 1924 Argail Way Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name John Blakely Signature [Signature]  
 Address 2016 Argail Way Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name KEVIN HAYWARD Signature [Signature]  
 Address 4516 Babich Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Laura Hayward Signature Laura Hayward  
 Address 4516 Babich Ave Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Gail Burke Signature Gail Burke  
 Address 5632 El Prado Way, Sacramento, CA 95822 Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Janet Markzolt Signature Janet Markzolt  
 Address 4504 BABICH AVE Sacramento, CA 95822  
 Phone \_\_\_\_\_

Name Gabriella Gasparo Signature [Signature]  
 Address 4500 BABICH AVE. Sacramento, CA 95822  
 Phone \_\_\_\_\_ email \_\_\_\_\_

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## Letter 21

### Catherine Bunch

The comment letter provided by Catherine Bunch also included signed petitions opposing the project. The petitions are attached at the end of Ms. Bunch's letter.

**21-1** The commenter recites general requirements for EIRs prepared pursuant to CEQA and identifies the City's General Plan and Municipal Code as regulatory guidelines for the City. The comment does not address the adequacy of the EIR; therefore, no response is required.

**21-2** The commenter summarizes the comments that are articulated in more detail in the body of the comment letter. Please see Responses to Comments 21-3 to 21-14 below, responding to each of commenter's specific comments.

**21-3** The comment summarizes general principles of California Planning and Zoning Law pertaining to the City's General Plan and states that the proposed General Plan amendment and rezoning "frustrates numerous goals and policies of the general plan."

While the commenter lists 23 general plan policies allegedly "implicated by the project," the commenter does not provide any information to explain how the project is allegedly inconsistent with the listed General Plan policies. As such, no response is required.

The above notwithstanding, the City provides the following response.

The Draft EIR concludes "that the proposed project would be consistent with the intent of the City's 2035 General Plan and Land Park Community Plan and would be compatible with the existing adjacent uses" (see, e.g., Draft EIR, p. ES-2). The Draft EIR's consideration of potential land use planning inconsistencies complies with the requirements of CEQA and represents a good faith effort by City staff to advise the City Council of their opinion that the proposed project is consistent with all applicable land use plans.

The final determination regarding potential land use planning inconsistencies will be made by the City Council as the CEQA lead agency, as stated on page 3-13 in Chapter 3, Land Use and Planning. (*North Coast Rivers Alliance v. Marin Mun. Water Dist. Bd. of Dirs.* (2013) 216 Cal.App.4th 614, 632-633 (*NCRA*, quoting *Sequoyah Hills*, *supra*, 23 Cal.App.4th at p. 719 ["Determining 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.”] (emphasis in *Sequoyah Hills*); *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 142 [“the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity”]; *Coastal Hills Rural Preservation v. County of Sonoma* (Aug. 31, 2016, A145573) \_\_ Cal.App.4th\_\_ [2016 Cal. App. LEXIS 736] [the courts “naturally accord great deference to the ... agency’s determination. The agency has broad discretion, especially regarding general plan policies, which reflect competing interests.”].)

The role of the local agency’s decision-making bodies with regard to interpretation of the general plan has been the subject of litigation, and the decisions of the courts provide guidance in this regard.

- “A general plan must try to accommodate a wide range of competing interests -- including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services -- and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected city officials to examine the specifics of a proposed project to determine whether it would be ‘in harmony’ with the policies stated in the plan.” (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 719-720 (*Sequoyah Hills*).)
- “A project is consistent with the general plan ‘if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.’ [Citation.] A given project need not be in perfect conformity with each and every general plan policy. [Citation.]” (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 238 (*Clover Valley*) [a lead agency must consider whether a project is “‘compatible with’ the objectives, policies, general land uses and programs specified in the general plan”].)
- For the purposes of CEQA, land use inconsistencies generally result from irreconcilable conflicts with unambiguous environmental mandates set forth in applicable land use plans. (See *Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors* (1998) 62 Cal.App.4th 1332, 1341-1342; see also *Clover Valley*, supra, 197 Cal.App.4th at pp. 239 [holding strict enforcement of a policy is not required where a deviation would better fulfill a general plan’s objectives and requirements].) However, “an inconsistency between a project and other land use controls does not in itself mandate a finding of significance”



under CEQA; rather, a planning inconsistency is “merely a factor to be considered in determining” the significance of changes in the physical environment caused by the project. (*Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1207.)

Here, the Draft EIR identifies applicable land use plans and addresses potential inconsistencies with those plans. The issue raised by commenter relates to policy issues that may be brought to, and considered by, the City’s Planning and Design Commission and the City Council. While these may be legitimate areas of inquiry for policy, CEQA focuses on potential impacts on the physical environment, and the Draft EIR has accomplished that objective.

- 21-4** The comment alleges the “as is” project alternative is “ad hoc and conclusory and offers little evidence and no real data to show how the general plan’s policies are being satisfied.” Presumably the commenter is referring to the No Project/Existing Zoning alternative, as there is no “as-is” alternative analyzed in the Draft EIR.

CEQA does not include a requirement that EIRs examine whether the project would be consistent with zoning, general plans and other applicable land use controls. In *North Coast Rivers Alliance v. Marin Mun. Water Dist. Bd. of Dirs.* (2013) 216 Cal.App.4th 614, (“*North Coast Rivers*”) the court determined that while CEQA requires an EIR to discuss inconsistencies between a project and applicable plans, it does not require an EIR to provide a detailed discussion of a project’s consistency with such plans. (*Id.* at p. 633, citing CEQA Guidelines, § 15125, subd. (d).) Indeed, “[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 (or the alternatives’) actual consistency with such plans will be made by the City Council as the CEQA lead agency. Notably, inconsistency with a land-use policy does not require a finding that an impact is significant under CEQA; rather, a policy inconsistency is “merely a factor to be considered in determining whether a particular project may cause a significant environmental effect.” (*Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1207.)

- 21-5** The comment summarizes the Draft EIR’s description of the No Project/Existing Zoning alternative (referred to by the commenter as the “as-is” alternative). The commenter states that the environmental impacts of the No Project/Existing Zoning alternative would be less significant than the impacts of the proposed project. The

commenter is incorrect. The Draft EIR expressly states that “no impacts [of the No Project/Existing Zoning alternative] were identified as being less severe than the proposed project” (Draft EIR, p. 5-7).

Moreover, the Draft EIR concludes that the No Project/Existing Zoning alternative and the proposed project would have similar impacts to biological and cultural resources, water quality and parking lot noise, and the alternative would create more severe impacts than the proposed project for air quality, aesthetics, operational and construction noise, traffic noise, public services and utilities, water, wastewater and solid waste, police and fire protection, and traffic (Draft EIR, pp. 5-6 to 5-9). CEQA does not require that a lead agency consider adopting an alternative that increases impacts as compared to a proposed project. (*City of Maywood v. Los Angeles Unified School Dist.* (2012) 208 Cal.App.4th 362, 415-422.)

**21-6** The commenter observes that under the No Project/Existing Zoning alternative the surrounding residential properties would be buffered by transitional residential uses. The comment does not address the adequacy of the EIR; therefore, no response is required.

**21-7** The commenter asserts its opinion that the No Project/Existing Zoning alternative cannot be “more impactful” than the project because the general plan contemplates transitional residential uses.

As discussed in Response to Comment 21-5, the Draft EIR determined the No Project/Existing Zoning alternative and the proposed project would have similar impacts to biological and cultural resources, water quality and parking lot noise; and the alternative would create more severe impacts than the proposed project for air quality, aesthetics, operational and construction noise, traffic noise, public services and utilities, water, wastewater and solid waste, police and fire protection, and traffic (Draft EIR, pp. 5-6 to 5-9). The commenter’s contrary opinion is not supported by any evidence and does not raise issues regarding the physical effects on the environment, therefore no further response is required. The comment is forwarded to the decision makers for their consideration.

**21-8** The comment suggests that the No Project/Existing Zoning alternative meets all of the project objectives and therefore should not be rejected by the City as infeasible.

An EIR’s alternatives analysis provides information to be used by the lead agency in making its ultimate determination of feasibility of the alternatives in its CEQA Findings of Fact. An EIR is an informational document prepared by lead agency staff and consultants and provided to lead agency decision-makers as part of the overall administrative record on which they can base their actions and determinations.

Nowhere does CEQA mandate that the EIR itself contain an analysis of the feasibility of the various project alternatives or mitigation measures which it identifies. (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 689, 690; see also CEQA Guidelines, § 15126.6, subd. (f)(1).) Such determinations, including determinations of consistency with project objectives, will be properly contained in the City's CEQA Findings of Fact.

The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's suggestion is noted and forwarded to the decision-makers for their consideration.

- 21-9** The comment asserts that the Alternate Site Plan and Reduced Intensity alternatives meet the project objectives and do not create additional significant impacts as compared to the project. Therefore, the commenter does not believe there is adequate evidence to allow the City to reject these alternatives as infeasible.

Under CEQA, project alternatives are developed in order to give agency decision-makers options for reducing or eliminating the significant environmental effects of proposed projects, while still meeting most if not all of the basic project objectives. "Alternatives and mitigation measures have the same function – diminishing or avoiding adverse environmental effects." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 403.) Here, the adoption of mitigation measures set forth in the Draft EIR are sufficient to reduce all significant impacts to less- than-significant levels. Under CEQA, then, the City Council has no obligation even to consider the feasibility of the alternatives set forth in the EIR. (*Laurel Hills Homeowners Association v. City Council of City of Los Angeles* (1978) 83 Cal.App.3d 515, 521 ("Laurel Hills").) In other words, because all significant effects associated with the project can be rendered less than significant with the adoption of feasible mitigation measures, the City can satisfy its statutory mandate to avoid or substantially lessen all significant effects without resorting to consideration of any project alternatives. (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508 (*Sierra Club*) [distinguishing between an EIR's alternatives analysis and agency's ultimate findings on feasibility of alternatives].) As a result, nothing in CEQA requires the City to assess the feasibility of those alternatives. (Pub. Resources Code, § 21002; *Laurel Hills, supra*, 83 Cal.App.3d at p. 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731.)

The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.

- 21-10** The comment asserts the alternatives analysis fails to describe a reasonable range of alternatives to the project as required by CEQA.

The Draft EIR evaluates four alternatives not including the proposed project: (1) No Project / No Development, (2) No Project / Existing Zoning, (3) Alternative Site Plan, and (4) Reduced Intensity. The CEQA Guidelines state "there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." (CEQA Guidelines, Section 15126.6, subd. (a).) CEQA Guidelines Section 15126.6(f) describes the rule of reason as requiring "the EIR to set forth only those alternatives necessary to permit a reasoned choice." Therefore, to comply with CEQA it is not necessary for the lead agency to evaluate every possible project configuration. For the purposes of CEQA, the alternatives discussion is intended to focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives as listed in the Draft EIR (CEQA Guidelines, Section 15126.6, subd. (b)). The Draft EIR satisfies CEQA's requirements.

The commenter seemingly suggests the Draft EIR does not properly evaluate the comparative merits of the project alternatives. The commenter is incorrect. For each alternative, the Draft EIR includes comparative analysis of environmental effects as compared to the proposed project. (Draft EIR, pp. 5-5 to 5-27) Moreover, the Draft EIR includes Table 5, which provides a comparative evaluation of alternatives by impact area (Draft EIR, pp. 5-27 to 5-36). The Draft EIR complies with CEQA's requirements for evaluating alternatives. (CEQA Guidelines, 15126.6(d), suggesting a "matrix displaying the major characteristics and significant environmental effects of each alternative.")

- 21-11** The comment identifies the Reduced Intensity and the No Project/Existing Zoning alternatives as "environmentally superior" to the proposed project.

CEQA requires that an EIR identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. The Draft EIR identifies the No Project/No Development alternative as environmentally superior to the project. CEQA Guidelines Section 15126.6(d)(2) states that if the environmentally superior alternative is the no project alternative, the EIR shall also identify an

environmentally superior alternative from among the other alternative. Consistent with CEQA, the Draft EIR identifies the Reduced Intensity Alternative as the environmentally superior alternative (Draft EIR, pp. 5-26 to 5-27).

The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the decision-makers for their consideration.

- 21-12** The comment asserts the following mitigation measures should include specific implementation requirements and should identify remedies for the City to employ in the event the measures are not properly implemented: MM 4.6-3, MM 4.8-1, MM 4.10-5. The comment goes on to list 14 General Plan policies that allegedly require ongoing monitoring.

There is no Mitigation Measure 4.6-3; impact 4.6-3 is less than significant and no mitigation is required (Draft EIR, p. ES-22).

Mitigation Measure 4.8-1 requires the applicant to equip all construction equipment with exhaust and intake silencers that are in good working order, to locate stationary construction equipment as far away from adjacent residential property as is practicable and to construct a 12-foot-tall masonry wall along the western property boundary and a 10 to 12 foot tall masonry wall along the northern property boundary (Draft EIR, p. ES-24, ES-25). Mitigation Measure 4.10-5 requires the applicant to prepare a construction traffic and parking management plan prior to beginning construction. The plan must be approved by the City's Traffic Engineer and will be subject to review by all affected agencies (Draft EIR, pp. ES-30 to ES-31).

If the City approves the project, it will also adopt a Mitigation Monitoring and Reporting Program that will outline all mitigation measures identified in the Draft EIR and will identify the party responsible for implementing the mitigation measure as well as the timing for implementation (CEQA Guidelines 15097). Mitigation Measures 4.8-1 and 4.10-5 would be included in the MMRP, which would be a fully enforceable document that the City will use to monitor the project's compliance with identified mitigation measures.

In addition, third party enforcement of mitigation measures is possible under CEQA. For example, in *Lincoln Place III*, the action was brought by a third party petitioner who alleged several causes of action including failure of the City to enforce mitigation included in the EIR. The court in that case required the agency to enforce the measure, and also upheld an injunction preventing the landowner from moving forward with its project unless it complied with the measure. (*Lincoln Place Tenants*

*Assn. v. City of Los Angeles* (2007) 155 Cal. App. 4th 425, 454 (*Lincoln Place III*) 155 Cal.App.4th at p. 454.) In *Katzeff v. Department of Forestry & Fire Protection* (2010) 181 Cal.App.4th 601, the lawsuit was brought by a third party petitioner challenging the Department's approval of a smaller harvesting project without requiring implementation of prior mitigation measures. More recently, in *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, Sierra Club filed a lawsuit alleging in part that the County of San Diego failed to comply with the terms a climate change mitigation measure adopted under a prior EIR. (*Id.* at p. 1176.)

The commenter lists numerous general plan policies and appears to indicate that they require ongoing monitoring. The goals and policies contained in the City's General Plan area designed to establish the values of the City and to provide a mechanism by which the City's goals can be achieved, as set forth in the policies. There is no requirement that any on-going monitoring be required in any of the City's policies so it is not clear what the commenter is specifically requesting. The comment indicates that "a general plan conflict requires on-going monitoring be implemented as a mitigation measure." Where a potentially significant impact is identified in the Draft EIR mitigation is required and provided. Compliance with a general plan policy that may require, encourage, or promote future development to meet a specific standard or provide infrastructure, for example, does not constitute an impact that requires mitigation be provided. For example, Policy ER 3.1.6 promotes tree planting in parking lots to reduce heat island effect. The project will be planting trees to meet the intent of this policy and the applicant is responsible for maintaining the trees on their property. No mitigation is required to ensure compliance with this policy. This is true for all of the policies listed in the comment.

- 21-13** Commenter states the Draft EIR fails to address the cumulative impact on surrounding neighbors caused by eliminating transitional residential uses from the project site. Here, commenter states the project will be developed on "formerly residential properties" and the impact of displacing those former residences with the project's proposed commercial development must be analyzed.

The project site is located in an existing developed area of the City on the site of a former nursery, Capital Nursery. The project site contains vacant buildings, sheds and greenhouses that were part of the former nursery which occupied the site from 1936 to 2012. Prior to 1936, the project site included stables and the land was used to grow crops. Two vacant single family homes are also within the project site (Draft EIR, pp. 2-1 to 2-2). The project site does not include, and has never included, medium/high density "transitional residential uses" as suggested by commenter.

The commenter's assertion that the Draft EIR fails to analyze the cumulative impacts of the project by displacing a hypothetical use (transitory residential units) that has never been developed on the project site is not required by CEQA. In general terms, CEQA requires that, an EIR analyze whether the project, taken together with other past, present, and reasonably foreseeable future projects, will create a significant cumulative impact and whether the project's incremental contribution to the potentially significant impact is cumulatively considerable. The Draft EIR includes this analysis and is therefore adequate under CEQA.

- 21-14** The comment asks the City to respond to the comments submitted in her letter and to include as a public comment the petition attached to the comment letter. Responses to the comments raised in the letter are addressed in Responses to Comments 21-1 through 21-13. The response to the petition is included below in Response to Comment 21-15. The comment does not address the adequacy of the EIR; therefore, no response is required.
- 21-15** The petition signed by residents has been included in the record as a public comment. The comment provides an opinion that the project is not a good fit for the neighborhood and indicates support in keeping the residential zoning. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenters' opinion is noted and forwarded to the decision-makers for their consideration.

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## Comment Letter 22

**From:** Janet Marzolf [<mailto:janetmsac@gmail.com>]  
**Sent:** Thursday, September 15, 2016 2:40 PM  
**To:** Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
**Subject:** Land Park Commercial Center EIR Comments

I am submitting some comments on the EIR:

1. The EIR didn't adequately address the impacts of traffic cutting through the Babich, Argail and Meer neighborhood from Sutterville to Freeport. The mention of a stoplight at Meer and Freeport won't adequately address this issue. The residents of those streets should be consulted to discuss ways to mitigate the significant increase in traffic to that area that will be caused by the project.
2. The top of the neon Raley's sign should not be any higher than the height of the walls bordering on the residential areas of Meer, Babich, Marion and other affected areas in order to limit light pollution to the residential areas.
3. Hours of operation of the retail tenants should be limited to no earlier than 7 a.m. and no later than 10 p.m. to avoid significant noise and disruption of neighboring residential properties.
4. The City should require that tenants use equipment that minimizes noise and emissions from mechanical equipment such as compressors, refrigeration equipment, etc.

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Janet Marzolf  
4508 Babich Avenue  
Sacramento, CA 95822

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## Letter 22

### Janet Marzolf

- 22-1** The comment alleges that the Draft EIR did not adequately address impacts associated with traffic cutting through Babich Avenue, Argail Way and Meer Way and residents along these streets should be consulted to discuss ways to mitigate the increase in traffic.

Based upon a review of traffic operations and the anticipated origins / destinations of project traffic, the amount of project traffic that would be likely to use Babich Avenue, Argail Way, and Meer Way west of Freeport Boulevard is expected to be minimal (less than one percent of project traffic). As access to the site, these streets would primarily be used by residents in the immediate neighborhood. No vehicular (or pedestrian or bicycle) access would be provided to the site from Babich Avenue. There is no time advantage to travel through the neighborhood rather than use Sutterville Road and Freeport Boulevard. Delay at the signalized intersection of Freeport Boulevard and Sutterville Road (south) is reasonable (LOS C operations), and should not cause many motorists to divert to the neighborhood streets. Traffic calming speed lumps are currently installed on Babich Avenue and Meer Way.

- 22-2** The comment indicates a desire that the top of the (neon) Raley's sign should not be any higher than the walls proposed along the west and north sides of the project site to limit any light concerns.

Raley's is still exploring the option of relocating the existing Raley's sign to the new Raley's store. However, it is not known if the sign will be relocated nor where it would be installed. The proposed walls adjacent to the west and north sides of the project site would range in height from 10 to 12-feet tall. The existing sign is quite tall and is possibly taller than 6-feet in height. It is unlikely it could be located below the height of the walls. However, the project's proposed signage would comply with the City's sign permit requirements.

- 22-3** The comment is requesting that the hours of operation of the retail tenants be limited to between 7 a.m. and 10 p.m.

As noted in Chapter 2 of the Draft EIR on page 2-14, the Raley's store hours would remain 6 a.m. to 11 p.m. seven days a week. The hours of operation for the retail tenants is not known at this time, but it is anticipated hours of operation would be within the hours of 9 a.m. to 8 p.m. It is anticipated the hours of operation for restaurant or café tenants would be within 6 a.m. to 11 p.m. Noise impacts were

evaluated in Draft EIR Section 4.8, Noise. Operational noise impacts were evaluated under Impact 4.8-4 and as noted on page 4.8-23, calculations for operational noise assumed that the retail center would operate from 6:00 a.m. to 11:00 p.m. daily. Average noise levels at adjacent residential property boundaries are detailed in Table 4.8-9 and the Draft EIR concluded that impacts would be less than significant. Additionally, Impact 4.8-5 evaluated the operational noise from loading docks activities and the Draft EIR also concluded that this would result in a less than significant impact to nearby residences.

- 22-4** The comment is requesting that the City require future tenants to use equipment that minimizes noise and air emissions (i.e., compressors, generators, refrigeration equipment).

As described on page 2-14 in Chapter 2, trucks in the loading area for Raley's would be instructed by Raley's not to leave their engines idling and to turn off their vehicles. Electrical hookups would be provided in the loading docks for use by trucks needing electricity. This would help reduce noise associated with engines running to provide power for truck refrigeration. Also, the Sacramento Air Quality Management District requires a permit for any stationary equipment, such as a generator and as part of their permit process will require equipment that minimizes air pollutants. The Draft EIR also includes mitigation to further reduce noise and disturbance from construction activities and equipment (see Draft EIR Mitigation Measure 4.8-1 p. 4.8-19). This includes requiring all construction equipment that uses an internal combustion engine be equipped with suitable exhaust and intake silencers which are in good working order and locating stationary construction equipment such as generators or compressors as far away from adjacent residential property boundaries as is practicable. Please see also the discussion in Response to Comment 4-5 that addresses the addition of a generator for the Raley's store.

## Comment Letter 23

September 15, 2016

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

RE: Comments on Draft EIR for the Land Park Commercial Center Project

As a homeowner directly impacted by the proposed Land Park Commercial Center Project (LPCC), I am submitting the following comments on the draft EIR. Some of my concerns have been previously raised by NOP comments or are addressed in the EIR but I include them here also.

I generally support the development of the LPCC, however, as my home is across the street from the proposed development on Wentworth I have many concerns about the construction and the longer term impacts on my home and quality of life. I am not in support of the development of a shop on Wentworth. Since my backyard backs up to the current Raleys loading area I have some practical experience with issues that will be multiplied with the development of proposed Center.

Following are my concerns:

1. Ensure the landscaping facing Wentworth is sufficient to shield the major portions of the development from view which will make the aesthetics more palatable for a homeowner whose view will now be comprised primarily with the development. Perhaps the landscaping could provide some noise buffering, however, I am not aware of whether this is a possibility.
2. I have concerns about the lighting spillover. Since I have front facing bedrooms, after dark lighting that spills over would create negative impacts. It sounds like the plan should address this, however, I want to mention that motion detection lighting might be another option.
3. The general cleanliness of the Center is a concern also, as currently there is often trash that I find in my backyard that comes over the 12 foot fence from the rear of Raleys. If there is any wind, the amount of trash increases. Additionally, the amount of dust and grime currently is constant, mainly I believe from the delivery trucks and activity that the deliveries generate. An enclosed loading dock should greatly diminish the dust and grime in the air, and subsequently in homeowners' homes. Also, a more conscientious effort to contain the trash to appropriate receptacles would help keep trash out of neighbors yards.
4. While maybe not a function of the EIR, I would be opposed to any 24-hour stores, the inclusion of liquor stores, bars, pool halls, or gambling concerns in the

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Center, or any restaurant or establishment that was open past 10pm. They would not be conducive to a quiet neighborhood Center.	23-4 Cont.
5. Another item that may not be a function of the EIR, but I wanted to mention, is ensuring that there is sufficient security that patrols the area, especially during non-business hours. There has been an increase in the homeless population frequenting the Land Park area, in particular in the Raley's and Sprouts areas. Also, I have observed on several occasions a couple of cars parked in the far corner of the current parking lot on Wentworth across the street from Raley's, with a few young people sitting in them. Sometimes they are blasting their music, and other times they are parked side by side exchanging things through their windows. I haven't ventured close enough to determine if there is anything illegal (like drugs) going on. More security presence would be beneficial.	23-5
6. Noise is a huge concern. It is a given that with more shops, there will be more people and cars which will create more noise, especially with an outside plaza area. This is why it is critically important that establishments are not open past 10pm (midnight at the very latest).	23-6
7. Since Wentworth is the entry point for large delivery trucks, I am concerned about the potential wear and potholing on Wentworth and surrounding smaller residential streets. The large delivery trucks should be required to enter Wentworth at Freeport Bl and not enter from the opposite direction.	23-7
8. Parking and sufficient parking is another concern. The EIR noted that there is free public parking on Wentworth. Currently, upon occasion Raley's customers and others park in front of my house because of its proximity to Raley's. With a proposed shop on Wentworth and the increase in the number of employees at the Center, that is likely to increase. Most people are responsible parkers, however, there have been multiple occasions when parkers end up partially blocking my driveway so I can't get out or in my driveway. If it becomes a consistent problem, I would like the city to offer an alternative parking resolution of time restricted parking on Wentworth.	23-8
9. Traffic and safety on Wentworth is the biggest concern that I have. The EIR indicates no significant impact because it is under 3,000 vehicles, however, if you live on Wentworth, as I do, and you go from 1,600 to 2,500 vehicles, it is a significant impact. My once, very walkable street, will become hazardous to traverse with my dogs. I am also not in support of having a traffic signal at the proposed Center entrance on Wentworth. Having a signal there will only encourage people to use that entrance as opposed to the Freeport Bl entryway.	23-9
10. Obviously, another concern is the noise, mess and hazards of the construction of the Project. To the extent that Raley's is willing to work with neighbors as issues arise should solve many concerns. In my previous experience with Raley's during their remodel of the current store, they were very willing to work with neighbors as issues arose. I assume that would be the case here also.	23-10
The Center can be a positive in the community, however, I would like that to be balanced with the concerns of those of us who are living closest to the site and stand to bear the greatest impact in quality of life and inconvenience (not to mention declining property values as well).	23-11

Thank you for considering my concerns with the LPCC Project.

Marcia Yamamoto  
1906 Wentworth Ave  
Sacramento, CA 95822  
[marciay@me.com](mailto:marciay@me.com)

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## Letter 23

**Marcia Yamamoto**

- 23-1** The comment is requesting that the landscaping along Wentworth Avenue be substantial to help block views of the project and also hopes the landscaping can provide some noise attenuation. Since the Draft EIR was published the plans have been updated and a copy of the revised plans are included on the City's website. In addition, the project's revised landscape plan is included in Chapter 2. As shown on the plan, trees are proposed along the frontage on Wentworth Avenue. It is anticipated that once the trees mature they will help screen views of the buildings. Regarding noise attenuation, trees will do little to block noise from the project. However, Section 4.8 of the Draft EIR concluded that all potential noise impacts on nearby residences would be less than significant.
- 23-2** The comment is expressing a concern regarding lights and the potential for light spillover and suggests using motion lights.
- A description of the project's lighting plan is included in the Draft EIR in Chapter 2, Project Description. As described on page 2-17, project lighting would include building lights and parking lot lights. All lighting would conform to the City's General Plan policy 6.1.12, which requires lighting be "shielded and directed downward to minimize impacts on adjacent residential uses." Parking lot and driveway lighting would use pole-mounted, multi-head fully shielded fixtures approximately 25-feet tall (similar in height to the existing Raley's parking lot light fixtures). The pole placement would provide security lighting throughout the site and fixture heads would be shielded to avoid light spillage into adjacent properties. No lighting is proposed along Wentworth Boulevard so it is not likely there would be any issue with light spillover.
- 23-3** The comment is requesting that future tenants in the center keep the area clean to keep trash from blowing into the neighbors' yards. Trash receptacles will be provided and it is anticipated the tenants will be conscientious and keep the center clean. However, if blowing trash becomes an issue the commenter is encouraged to contact the City or Raley's to have the issue addressed. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's concern is noted and forwarded to the decision-makers for their consideration.
- 23-4** The comment does not support any 24-hour businesses or any restaurant or establishment open past 10 p.m. Please see Response to Comment 22-3 which addresses the hours of operation.

- 23-5** The comment is asking if security will be provided especially in the evenings after the businesses are closed. The project is not proposing 24-hour security but security will monitor the site throughout the day and evening. If problems arise 24-hour on-site security will be provided. Security plans are reviewed by the Sacramento Police Department.
- 23-6** The comment states that noise is a concern and reiterates the need for businesses to close by 10 p.m. The Draft EIR evaluated noise associated with project operation in Section 4.8, Noise. Based on the analysis noise attributed to project operation would not exceed the City's noise thresholds and impacts were less than significant. Please see Response to Comment 22-3 which addresses the hours of operation.
- 23-7** The comment is concerned about the potential for delivery trucks to result in road damage to Wentworth Avenue. Delivery trucks for Raley's will be instructed to enter the project site via the Wentworth Avenue driveway because it is the shortest path to the loading docks. Deliveries to the other smaller shops can use either Freeport Boulevard or Wentworth the access the site. Any road damage to Wentworth would be repaired on an as-needed basis by the City.
- 23-8** The comment is concerned about parking, especially the potential for more people to park in front of her home on Wentworth Avenue and potentially block her driveway. Currently unrestricted on-street parking is permitted on Wentworth Avenue and would continue unless parking becomes an issue for residents living in this area. Employees working at Raley's and the other Shops will be asked to park in the northwest corner of the site in order to leave the majority of the parking available for customers. If parking becomes a problem the City can convert this road to restricted parking with a permit for residents.
- 23-9** The comment is concerned about traffic and safety on Wentworth Avenue for herself and her pets and does not support installing a traffic signal on Wentworth to access the project site.
- As shown in the traffic section in the Draft EIR, Section 4.10, the existing daily traffic volumes on Wentworth Avenue are over 1,600 vehicles. During the peak morning and evening hours the project would contribute up to approximately 200 a.m. trips and 600 p.m. trips. Using the City's level of thresholds for two lane local streets (see Table 4.10-2 on page 4.10-25) the addition of 600 trips would result in an estimate of up to approximately 2,200 daily trips. Based on the estimated trip distribution approximately 10% of the trips during the p.m. peak hour would travel west on Wentworth Avenue, or 60 vehicles. The increase in traffic along Wentworth Avenue

would increase with the project, but would still remain level of service A and would not result in any significant traffic impacts.

It is not clear from the comment if the commenter is referring to the new traffic signal proposed at Freeport Boulevard and Meer Way because there is no traffic signal proposed along Wentworth Avenue. The only changes to Wentworth Avenue would be adding a raised, striped pedestrian crossing near the project's driveway off of Wentworth Avenue. This crossing would provide access to the future uses at the existing Raley's store site, as well as to the sidewalk on the south side of Wentworth Avenue. The addition of this crosswalk was clarified in the project description by making the following change to Chapter 2, Project Description.

The first sentence under **Conditions of Project Approval** on page 2-38 in Chapter 2, Project Description is revised as follows:

The City's Conditions of Project Approval require the project applicant to install a new traffic light at Freeport Boulevard and Meer Way and add a raised striped pedestrian crossing of Wentworth Avenue near the project's driveway off of Wentworth Avenue.

The requirement to install this raised pedestrian crossing would be required by the City as a Condition of Project Approval.

- 23-10** The comment is raising a concern associated with an increase in noise and trash associated with project construction. Noise associated with project construction, although exempt under the City's Noise Ordinance, could result in an annoyance to nearby residents; therefore, a mitigation measure was included in Section 4.8, Noise, that requires all equipment be in proper working order and include intake silencers, stationary construction equipment shall be located as far away from adjacent residential property boundaries as is practicable, and the wall proposed adjacent to the western and northern boundaries of the site shall be installed as early in the construction process as is practicable. In addition, there would be information provided to residents in the event concerns are raised during project construction.
- 23-11** The comment is requesting that the project be balanced with the concerns of the neighbors living in close proximity to the project site that will experience the greatest impact. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's concern is noted and forwarded to the decision-makers for their consideration.

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## Comment Letter 24

From: [pksejijis@gmail.com](mailto:pksejijis@gmail.com)  
Date: 9/19/16 7:25 AM (GMT-08:00)  
To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>  
Cc: Elise Gumm <[EGumm@cityofsacramento.org](mailto:EGumm@cityofsacramento.org)>  
Subject: Swainson hawks in Land Park

Land Park Commercial Center.

My name is Paul Kunz. I live at 4520 Marion Court, the street just west of the old Capital Nursery, within the 300 feet zone.  
I want to inform you that this is a nesting area for Swainson hawks. I understand that they are an endangered species. They may not return next spring if construction begins. Please forward to Steve Hansen and Darrell Steinberg.

Thanks  
Paul Kunz

24-1

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**Letter 24****Paul Kuntz**

- 24-1** The comment is indicating that Land Park is a nesting area for Swainson's Hawk and goes on to note that the (raptors) may not return next spring if the project is under construction. The commenter also provided photographs of hawks taken in what looks to be a backyard.

The photographs provided by the commenter show a pair of Cooper's hawks (not Swainson's hawks) taken in what looks to be a backyard. While the Cooper's hawk is considered a "species of special concern" by the State, it is not listed as threatened or endangered under either the state or federal endangered species act. In the Sacramento region, Cooper's hawks typically nest and forage in landscapes where wooded areas occur in patches and groves and typically near open water and associated riparian vegetation. The species can often be found nesting and foraging in treed habitats within or adjacent to urban and residential areas, particularly if open space areas occur nearby. It would not be uncommon for Cooper's hawks to reside in and around the Land Park area.

In the Sacramento Valley region, Swainson's hawks also typically nest in woodland habitats, tree clusters, or isolated trees, usually near riparian systems and generally adjacent to or in close proximity to suitable foraging habitat which includes rangelands, grasslands, and various agricultural fields. The California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDDB), and BIOS databases were researched during preparation of Section 4.3, Biological Resources, and there are no current or historical records indicating nesting Swainson's Hawks in Land Park. However, there are known Swainson's hawk nest sites along the Sacramento and American rivers. Swainson's hawks typically migrate from the region by mid-September and return in late March or early April.

Based on previously conducted surveys, the project site does not contain any trees that would be considered suitable nesting habitat for raptors, including Cooper's hawk or Swainson's hawk. Furthermore, due to the location and highly disturbed nature of the project site, it does not provide any suitable foraging habitat for these raptors. Mature trees within Land Park could serve as potential nesting habitat for these and more common raptor species. While not typical due to ongoing human activities and other disturbances, mature trees within the neighborhoods adjacent to Land Park and along the Sacramento River, due to the proximity to open foraging areas just west of the river, could serve as nesting habitat for Swainson's hawk and

Cooper's hawk. Mitigation Measure 4.3-1 requires preconstruction surveys be completed by a qualified biologist during the avian breeding season (March 1 through September 15) for any active native bird (including raptors) nest within or immediately adjacent to the project site no more than 30 days before any construction activity commences. The pre-construction surveys would determine if active nests are present in the disturbance zone or within 350 feet of the disturbance zone boundary; nest searches would be extended to ¼ mile from the project site for Swainson's hawk. If active nests are found, ground-disturbing activities would be postponed or halted, and a suitable buffer from the nest identified and flagged by a qualified biologist based on the species, planned construction activity, and the location of the nest.

The commenter does not indicate where any Swainson's hawk nests are located either near the project site or in Land Park, and it would be difficult to identify any active Swainson's hawk nests beyond mid-September as most of the hawks will be migrating south. If Swainson's hawks are nesting within Land Park or even in nearby neighborhoods, it is unlikely, given the high level of human activity and associated noise levels currently occurring in these areas, that Swainson's hawks would vacate existing nest sites as it is assumed that these individual hawks have become acclimated to the existing levels of noise and human activity near these nests. Which is common for this species. Nevertheless, and as noted in Mitigation Measure 4.3-1, if surveys result in the location of active Swainson's hawk nests with ¼ mile of the project site, ground-disturbing activities would be halted and/or postponed, and a suitable non-disturbance buffer from the nest will be identified and flagged by a qualified biologist if it is determined by the biologist that project construction could potentially adversely affect the active Swainson's hawk nest. Activities would resume once it has been determined by the biologist that adverse impacts on active nests would not occur.



## Comment Letter 25

Original message -----

From: Neil Schild <[Neil.W.Schild@mwhglobal.com](mailto:Neil.W.Schild@mwhglobal.com)>

Date: 9/19/16 1:32 PM (GMT-08:00)

To: Dana Mahaffey <[DMahaffey@cityofsacramento.org](mailto:DMahaffey@cityofsacramento.org)>

Subject: Land Park Commercial Center

I realize the comments on the environmental document closed on Fri Sept. 16 and I didn't submit my comments. I do own property on Wentworth the southerly boundary of this development and as previously stated in comment periods I feel that a pedestrian walkway should be installed across Wentworth Ave. near the vehicle entrance on the southerly boundary (access point) of this development. There are quite a few elderly that walk for their shopping at the current Raley's store and feel there will be continued pedestrians wanting to access this commercial center development from the south side of Wentworth Ave. it will make it much safer for them to have an walkway for their protection. It may be in the future need to be a walkway with a signal to stop traffic on Wentworth Ave.

25-1

Also I read that the deliveries to the commercial development during the early morning hours will be accessing the center via Wentworth Ave. To me if this is planned access using a two lane street during early morning hours isn't offering much safety and quiet time to those residents on Wentworth Ave. there is a four lane road (Freeport Blvd.) running in front of the center when provides more safety for the cars on the street and being a commercial area there isn't as much need for a quieter area.

25-2

Even though this late note may not be entered in the record I will continue as the development moves forward to make these points on behalf of the residents on Wentworth Ave near Freeport Blvd.

25-3



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Please visit [www.stantec.com](http://www.stantec.com) to learn more about how Stantec designs with community in mind.

Neil W. Schild [Neil.Schild@mwhglobal.com](mailto:Neil.Schild@mwhglobal.com)

Principal Engineer

MWH Global

3301 C Street

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USA

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**Letter 25****Neil Schild**

- 25-1** The comment indicates support for installing a pedestrian walkway across Wentworth Avenue to enable safe access across this road.

As part of the project's Conditions of Approval, the project applicant will be installing a raised, striped pedestrian crossing of Wentworth Avenue near the project's driveway off of Wentworth Avenue (Draft EIR p. 2-38). Please see also the revised site plan (Scheme A) provided at the end of Chapter 2, Changes to the Draft EIR which shows the location of this new pedestrian crossing.

- 25-2** The comment is asking why delivery trucks would be using the driveway off of Wentworth Avenue to access the site versus from Freeport Boulevard.

Trucks making deliveries to the Raley's store would use the Wentworth Avenue driveway because it is the shortest way to access the loading docks and provides adequate turning radii for long delivery trucks. Using the Wentworth Avenue driveway would also eliminate potential conflicts with shoppers and vehicles parking to access the shops.

- 25-3** The commenter notes that he will continue to raise these concerns as the project moves forward. The comment does not address the adequacy of the EIR; therefore, no response is required. However, the commenter's concern is noted and forwarded to the decision-makers for their consideration.

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**APPENDIX B**  
*Revised Climate Action Plan*



## CLIMATE ACTION PLAN CONSISTENCY REVIEW CHECKLIST

The purpose of the Climate Action Plan Consistency Review Checklist (CAP Consistency Review Checklist) is to provide a streamlined review process for proposed new development projects which are subject to discretionary review and trigger environmental review pursuant to the California Environmental Quality Act (CEQA)..

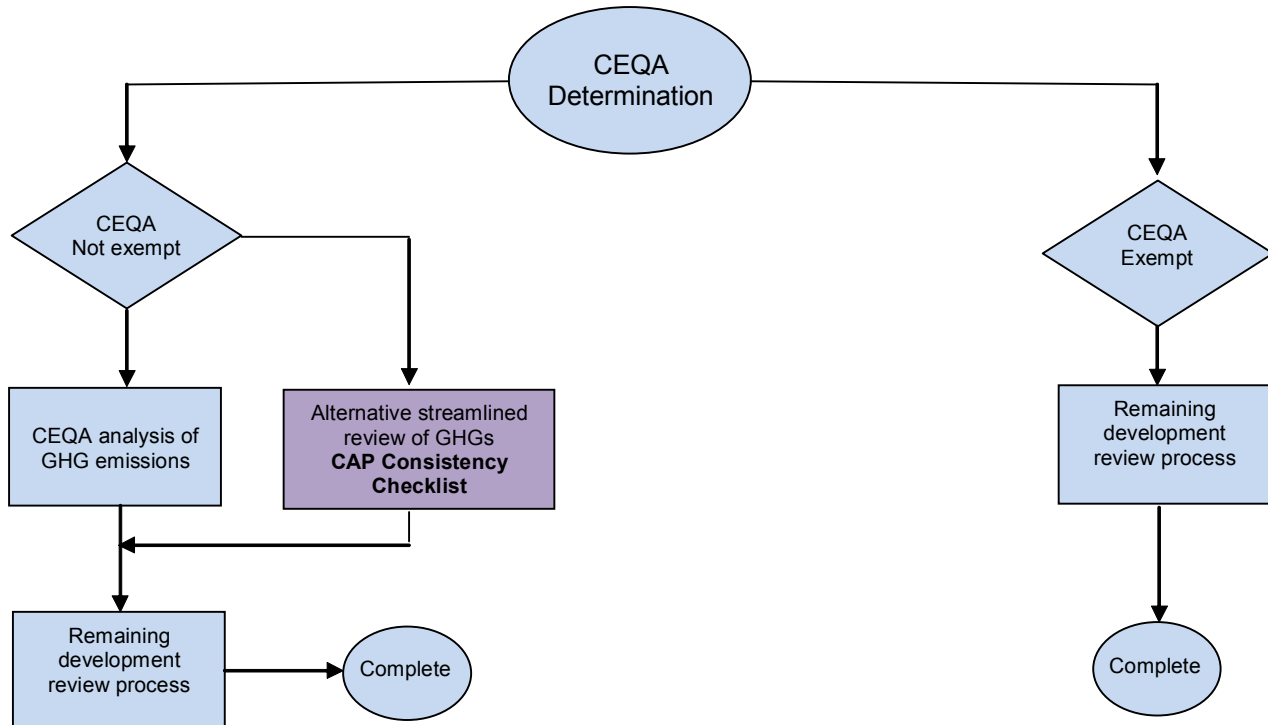
CEQA Guidelines require the analysis of greenhouse gas (GHG) emissions and potential climate change impacts from new development. The Sacramento Climate Action Plan qualifies under section 15183.5 of the CEQA Guidelines as a plan for the reduction of GHG emissions for use in cumulative impact analysis pertaining to development projects. This allows projects that demonstrate consistency with the CAP to be eligible for this streamlining procedure. Projects that demonstrate consistency with the CAP and the

PNRN

ist. Projects that do not demonstrate consistency m I  
prepare a more comprehensive project-specific analysis of GHG emissions consistent with CEQA requirements. (See FAQ about the CAP Consistency Review Checklist for more details.)

The diagram below shows the context for the CAP Consistency Review Checklist within the planning review process framework.

### Streamlined Review of GHG Emissions in Development Projects



## **CLIMATE ACTION PLAN    CONSISTENCY REVIEW CHECKLIST**

### **Application Submittal Requirements**

1. The CAP Consistency Review Checklist is required only for proposed new development projects which are subject to CEQA review (non-exempt projects)
2. If required, the CAP Consistency Review Checklist must be submitted in addition to the basic set of requirements set forth in the Universal Application and the Planning Application Submittal Matrix.
3. The applicant shall work with staff to meet the requirements of this checklist. These requirements will be reflected in the conditions of approval and/or mitigation measures.
4. All conditions of approval and mitigation measures from this checklist shall be shown on full-size sheets for building plan check submittals.

### **Application Information**

Project Number: P14-048

Address of Property: 4700, 4740, 4790 Freeport Boulevard and 1913, 1919, 1927 and 2009 Wentworth Avenue

Was a special consultant retained to complete this checklist?   ☒ Yes   ☐ No. If yes, complete following

Consultant Name\*: David Blair

Company: MCG Architects

Phone: 415-974-6002      E-Mail: DBlair@mcgarchitecture.com



### CAP Consistency Checklist Form for Projects that are Not Exempt from CEQA

Checklist Item (Check the appropriate box, and provide explanation for your answer).	Yes	No*
<p>1. Is the proposed project substantially consistent with the form, allowable floor area ratio (FAR) and/or density standards currently exists? -all goals for land use and urban form, as it</p> <p>PNRT General Plan, as it</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Please explain how proposed project compares to 2035 General Plan with respect to density standards, FAR, land use and urban form. (See directions for filling out CAP Checklist)</p> <p>The project site is within an area designated Urban Corridor High along the Freeport Boulevard corridor. The Floor Area Ratio (FAR) for this designation ranges from 0.30 to 6.0. The proposed project has an FAR of 0.24. While the proposal is below the minimum within this designation, the project site abuts single family homes on two sides (west and north) and has been designed to be respectful of their views and access to sunlight. To help compensate, the project includes elements from the Citywide Design Guidelines (Neighborhood Commercial Corridor Design Principles) including limited setbacks; buildings with a high degree of pedestrian-oriented uses such as outdoor cafes and restaurant seating areas; parking located behind or integrated into the site; and gathering places such as plazas.</p>		
<p>2. Would the project incorporate traffic calming measures? (Examples of traffic calming measures include, but are not limited to: curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers.)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Please explain how the proposed project meets this requirement (list traffic calming measures). (NA), explain why traffic calming measures were not required.</p> <p>A left-turn lane is proposed from Freeport Boulevard to allow access for vehicles traveling north; a new traffic light will be installed at Freeport Boulevard and Meer Way; a striped, raised pedestrian crossing mid-block on Wentworth Avenue will be constructed; and a short median on Wentworth Avenue will be added west of Freeport Boulevard.</p>		

\* If equivalent or better GHG reduction must be demonstrated as part of the project and incorporated into the conditions of approval.

Note: Requirements from this checklist should be incorporated into the conditions of approval, and shown on the full-size plans submitted for building plan check.

Checklist Item (Check the appropriate box, and provide explanation for your answer).	Yes	NA
3. Would the project incorporate pedestrian facilities and connections to public transportation	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
<p>required. L (NA), explain why this was not</p> <p>The proposed project includes pedestrian connections to Freeport Boulevard and Wentworth Avenue. The site is located along the #24 Freeport bus line. The existing asphalt paved sidewalk along Freeport Boulevard fronting the project site will be upgraded to a fully compliant concrete sidewalk per city standards. Sidewalk improvements will also be made to the sidewalk fronting Wentworth Avenue.</p>		

Checklist Item (Check the appropriate box, and provide explanation for your answer).	Yes	NA
4. Would the project incorporate bicycle facilities consistent with minimum standards for bicycle facilities in the Zoning Code and CALGreen?	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
<p>required. L (NA), explain why this was not</p> <p>Bicycle parking will be provided per the city code requirements including both short and long term parking areas for Class II and III parking facilities. Access to the bicycle parking areas will conform to the guidelines of the City/County Bikeway Master Plan.</p>		

\* I equivalent or better GHG reduction must be demonstrated as part of the project and incorporated into the conditions of approval.  
*Note: Requirements from this checklist should be incorporated into the conditions of approval, and shown on the full-size plans submitted for building plan check.*

Checklist Item (Check the appropriate box, and provide explanation for your answer).	Yes	No*	NA
<p>5. For residential projects of 10 or more units, commercial projects greater than 25,000 square feet, or industrial projects greater than 100,000 square feet, would the project include on-site renewable energy systems (e.g., photovoltaic systems) that would generate at least a minimum of 15% of the project's total energy demand on-site? (CAP Actions: 3.4.1 and 3.4.2)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p align="center">L (NA), explain why this was not required. If project does not meet requirements, see DIRECTIONS FOR FILLING OUT CAP CONSISTENCY REVIEW CHECKLIST re: alternatives to meeting checklist requirements.</p> <p>The project most likely will substitute energy efficiency in lieu of providing on-site renewable energy by exceeding the state's Title 24 energy efficiency a minimum of 5%.</p> <p>Attach a copy of the CalEEMod input and output. Record the model and version here _____ to this requirement.</p>			
<p>6. Would the project (if constructed on or after January 1, 2014) comply with minimum CALGreen Tier 1 water efficiency standards?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p align="center">L (NA), explain why this was not required.</p> <p>The project will comply with the CALGreen Tier 1 water efficiency and conservation standards.</p>			

\* I equivalent or better GHG reduction must be demonstrated as part and incorporated into the conditions of approval.

*Note: Requirements from this checklist should be incorporated into the conditions of approval, and shown on the full-size plans submitted for building plan check.*

### **Certification**

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## DIRECTIONS FOR FILLING OUT CAP CONSISTENCY REVIEW CHECKLIST

### General Plan Consistency & Sustainable Land Use

- 1. Is the proposed project substantially consistent with the land use and urban form designation, allowable floor area ratio (FAR) and/or density standards d [2035 General Plan](#)?**

Consistency with the General Plan land use and urban form designation, FAR and/or density standards is a key determining factor in whether or not the CAP Consistency Review procedure can be used. This is because future growth and development consistent with the General Plan was used to estimate business as usual emission forecasts, as well as emission reductions from actions that would be applicable to new development.

Refer to the 2035 General Plan, Land Use and Urban Form Designations and Development Standards starting on page 2-29. If a project is not fully consistent with the General Plan, the project still may qualify for consistency with the CAP, but this determination will need to be closely coordinated with the City. The City will determine whether the proposed land uses under consideration could be found consistent with the growth projections and assumptions used to develop the GHG emissions inventory and projections in the CAP.

### Mobility

- 2. Would the project incorporate traffic calming measures? (Applicable CAP Action: 2.1.1)**

List the traffic calming measures that have been incorporated into the project. These may include, but are not limited to: curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers.

The project proponent and City staff should consult with staff in the Department of Public Works-Transportation Division to verify that traffic calm Standards.

If the proposed project does not include any roadway or facility improvements, traffic calming measures may not apply. For example, certain infill projects may not result in on-street or transportation facility improvements because sufficient infrastructure already exists.

- 3. Would the project incorporate pedestrian facilities and connections to public transportation consistent with d V (Applicable CAP Action: 2.2.1)**

List the pedestrian facilities and connections to public transportation that have been included in the proposed project on the Checklist. These may include, but are not limited to: sidewalks on both sides of streets, marked crosswalks, count-down signal timers, curb extensions, median islands, transit shelters, street lighting.

The project proponent and City staff should consult with Department of Public Works-Transportation Division staff to verify that pedestrian facilities are consistent with the [Pedestrian Master Plan](#). I

I L For example, certain infill projects may not require on-street or transportation facility improvements because sufficient infrastructure already exists.

follows: [Appendix A to the Master Plan](#)) will be used to determine consistency, as

F For typical infill development projects where existing streets will serve the site (no new streets are proposed): the level of pedestrian improvements necessary to determine Pedestrian Master Plan consistency will be measured which are based on project location, surrounding land uses, proximity to transit, etc. If the proposed project does be required as a condition of approval to include appropriate features, per the approval of the Department of Public Works-Transportation Division.

F For new and/or larger infill development projects where new streets are proposed as part of the project, the following will apply:

- D location and context, where applicable, consistent with the criteria defined in the Master Plan. If the proposed project does not include the minimum level of improvements per the assigned category, the project will be required as a condition of approval to include appropriate features, per the approval of the Department of Public Works-Transportation Division.
- D F G I be required to be completed for the project, and a minimum score of 3 or better will need to be achieved. If the proposed project cannot achieve the minimum score, changes to the proposed project may be required, and/or the project may be required as a condition of approval to include certain improvements such that the average score will meet 3 or better. (Note: an Excel version of the Pedestrian Smart Growth Scorecard is available, to assist in automating the rating & scoring process)

**4. Would the project incorporate bicycle facilities consistent with d Y , and meet or exceed minimum standards for bicycle facilities in the Zoning Code and CALGreen? (Applicable CAP Action: 2.3.1)**

List the bicycle facilities that are incorporated into the proposed project on the Checklist. These include, but are not limited to: Class I bike trails and Class II bike lanes connecting the project site to an existing bike network and transit stations, bike parking [bike racks, indoor secure bike parking, bike lockers], end-of-trip facilities at non-residential land uses [showers, lockers]).

The project proponent and City staff should consult with staff in the Transportation Division of the Department of Public Works to verify that such facilities are consistent with the [Bikeway Master Plan](#) and meet or exceed Zoning Code and CALGreen standards. Generally, the following guidelines will be used:

- F If existing on-street and off-street bikeways are already present and determined to be consistent with the Bikeway Master Plan, no additional on-street bikeways will be required. However, on-site facilities shall still be required to meet or exceed minimum Zoning and CALGreen requirements.
- F If not applicable, fully document the reasons why using the Checklist.

- F If on-street bicycle facilities are not present or are only partially consistent with the Master Plan, the project will be required as a condition of approval to construct or pay for its fair-share of on-street and/or off-street bikeways described in the Master Plan, in addition to meeting or exceeding minimum on-site facilities.
- F In some cases, a combination of new or upgraded on-street and off-street bikeways may be used to determine consistency with the Master Plan, at the discretion of the Department of Public Works-Transportation Division staff.

## Energy Efficiency and Renewable Energy

5. For residential projects of 10 or more units, commercial projects greater than 25,000 square feet, or industrial projects greater than 100,000 square feet, would the project include on-site renewable energy systems (e.g., solar photovoltaic, solar water heating etc. ) that would generate at least NSC total energy demand? (CAP Actions: 3.4.1 and 3.4.2)

For projects of the minimum size specified in this measure, a commitment in the project description or in a mitigation measure that the project shall generate a mi OTC -site is sufficient to demonstrate consistency with this measure. However, the project conditions of approval or mitigation measures should specify the intended renewable energy technology to be used (e.g. solar photovoltaic, solar water heating, wind, etc.) and estimated size of the systems to meet project demand based on the project description.

F HVAC systems, water heating systems, and lighting systems) as well as uses that are independent of the construction of buildings, such as office equipment and other plug-ins. G F ding

Applicants may estimate the total energy demand of their projects using California Emissions Estimator Model (CalEEMod 2013.2), the same software used to estimate greenhouse gas emissions. **For CalEEMod estimates of energy demand to meet this specific requirement, the user should NOT SYP VS S VW WNY O D otherwise thS WYOS R OY-P r WU Sd W Wr SR P Wr VN VN S NYSNR OSSr P r SR.** CalEEMod outputs for electricity demand are provided in annual kWh, and natural gas demand is provided in annual kBtu.

The energy demand estimate by CalEEMod is based on two datasets:

- F The California Commercial End Use Survey (CEUS);
- F The Residential Appliance Saturation Survey (RASS)

CalEEMod takes energy use intensity data (above) and forecasts energy demand based on climate zone, land use

F I I I G I L  
This is an appropriate level of analysis for use at the planning submittal stage, but it may not provide an accurate picture of actual project energy demand because it does not factor project specifics such as building design.

Therefore, the applicant is advised (but not required) to run a more comprehensive energy simulation once project-specific details are known: basic building design, square-footage, building envelope, lighting design (at least rudimentary), and the mechanical system (at least minimally zoned). Some of the energy simulation programs that are appropriate for this level of analysis include: DOE 2.2, Trace 700, and Energy Pro.



The U.S. DOE maintains a list of energy simulation programs that are available.

[http://apps1.eere.energy.gov/buildings/tools\\_directory/subjects.cfm/pagename=subjects/pagename\\_menu=whole\\_building\\_analysis/pagename\\_submenu=energy\\_simulation](http://apps1.eere.energy.gov/buildings/tools_directory/subjects.cfm/pagename=subjects/pagename_menu=whole_building_analysis/pagename_submenu=energy_simulation)

The applicant may then revise the estimate and make a final determination regarding the size of the PV system that is required.

**Substitutions:** Projects may substitute a quantity of energy efficiency for renewable energy, as long as the substituted

must reduce GHG emissions from the project beyond what is already accounted for in the CAP (to avoid double-counting).

- F Additional mitigation may include equivalent or better GHG reduction from individual measures or a combination of:
- F In lieu of installing PV systems that would generate 15% of the projects total energy, the project may exceed energy efficiency standards of Title 24, part 6 of the California Building Code, such as building to CALGreen Tier 1 energy standards. (Residential projects shall exceed the 2013 Title 24 energy efficiency by a minimum of 10% and commercial projects shall exceed 2013 Title 24 energy efficiency by a minimum of 5%).

## **6. Would the project comply with minimum CALGreen Tier I water efficiency standards? (CAP Action: 5.1.1)**

The [California Green Building Standards Code \(CALGreen\)](#) includes mandatory green building measures, as well as voluntary measures that local jurisdictions may choose to adopt to achieve higher performance tiers, at either Tier 1 or Tier 2 compliance levels. Sacramento has adopted Tier 1 Water Efficiency Standards to be required on or after January 1, 2014. Currently, in order to meet the Tier 1 Water Efficiency Standards, buildings are required to implement all mandatory water efficiency and conservation measures as well as certain Tier 1 specific measures that exceed minimum mandatory measures (e.g. 30% increase in indoor water efficiency). Specific Tier 1 provisions can be found in the CALGreen Code at <http://www.bsc.ca.gov/Home/CALGreen.aspx>.

The City recognizes that project construction details are often not known at the environmental review stage, and it may be premature for a project proponent to identify compliance with precise requirements of CALGreen. A condition of approval requiring the project to comply with minimum CALGreen Tier 1 water efficiency and conservation standards is sufficient to demonstrate consistency with this criterion.

Planning approval of your project will include the following condition:

Project must meet CALGreen Tier 1 water efficiency and conservation standards. Copies of the appropriate CalGreen checklist (see FAQ) shall be included on the full-size sheets for building plan check submittals.

*Note: Requirements from this checklist should be incorporated into the conditions of approval, and shown on the full-size plans submitted for building plan check.*



**APPENDIX D**  
*Revised Cultural Report*



September 19, 2016

8814

Mike Maffia  
MO Capital  
1140 Deana Drive  
Menlo Park, California 94052

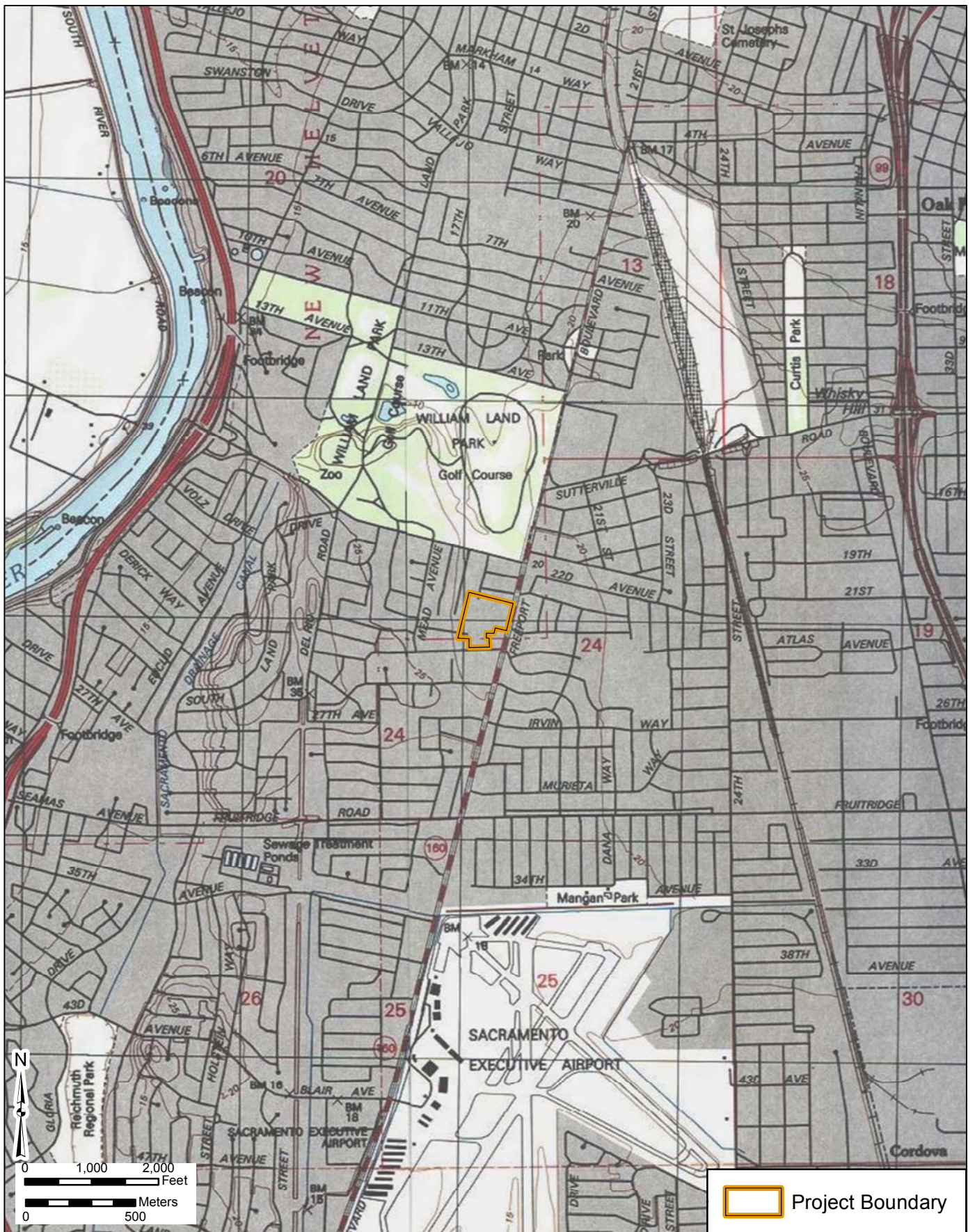
***Subject: Cultural Resources Report for the Land Park Commercial Center EIR  
Project, Sacramento, California***

Dear Mr. Maffia:

Dudek was retained by Mo Capital to prepare a cultural resources study for the Land Park Commercial Center Project (proposed project). This study includes a records search of the Northern California Information Center, Native American coordination, a field survey, archival/building development research, and a historic resource evaluation for the Capital Nursery property located at 4700 Freeport Boulevard and two residential properties located at 1913 and 1919 Wentworth Avenue in the City of Sacramento, California. This study was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and the Secretary of the Interior's Standards for preparation of an evaluation. This report and the associated property evaluations were prepared by Dudek Architectural Historian Salli Hosseini, MAHP, with review from Dudek Senior Architectural Historian, Samantha Murray, MA, Registered Professional Archaeologist (RPA). Both Ms. Hosseini and Ms. Murray meet the Secretary of the Interior's Professional Qualification Standards (PQS) for architectural history. Ms. Murray also meets the Secretary of the Interior's PQS for archaeology.

## **1 PROJECT LOCATION**

The project area consists of three properties located at 4700 Freeport Boulevard (Assessor's Parcel Number (APN) 017-0121-001), 1913 Wentworth Avenue (APN 017-0121-010), and 1919 Wentworth Avenue (APN 017-0121-009) in the City of Sacramento, California. The project area is located within the South Land Park neighborhood bounded by residential properties to the north, Wentworth Avenue to the south, Freeport Boulevard to the east, and residential properties to the west. The subject property falls within the U.S. Geological Survey (USGS) 7.5-minute Sacramento East quadrangle at Township 8 North, Range 4 East, in Section 24 (Figure 1).



SOURCE: USGS Topo 7.5 Minute Series - Sacramento West & Sacramento East Quadrangle  
 Township 8N / Range 4E / Section 24

## Project Location Map

### LAND PARK COMMERCIAL CENTER

## **2 PROJECT DESCRIPTION**

MO Capital, the project applicant, is requesting entitlements to construct a commercial project anchored by a grocery store (Raley's). The proposed project would reuse an existing developed area within the Land Park Community Plan Area. The project area encompasses 9.87 acres fronting on Wentworth Avenue and Freeport Boulevard. Existing buildings and greenhouses that were part of the former Capital Nursery (closed in 2012) along Freeport Boulevard would be demolished, along with two small vacant residences located on Wentworth Avenue. The project would construct a new one-story 55,000-square-foot grocery store and five freestanding buildings that would provide approximately 53,980 square feet of retail uses. A total of 439 on-site surface parking spaces would be provided along with new landscaping and other public amenities. The existing Raley's store on Freeport Boulevard would relocate to the new location.

Primary vehicle access would be provided from Freeport Boulevard with a secondary access off Wentworth Avenue. The loading docks and deliveries for the grocery store would take place along the south side of the building. Truck access would be from Wentworth Avenue. Dedicated sidewalks for pedestrians and access for bicyclists would be provided from Freeport Boulevard and Wentworth Avenue, and bicycle racks would be provided throughout the project site.

## **3 REGULATORY SETTING**

### **3.1 Federal**

While there is no federal nexus for this project, the National Register of Historic Places (NRHP) designation criteria were considered in the evaluation of historical resources for the proposed project. The NRHP was established by the National Historic Preservation Act of 1966, as "an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment."

#### **National Register of Historic Places**

The quality of *significance* in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that meet at least one of the following criteria:

- A. Are associated with events that have made a significant contribution to the broad patterns of our history.



- B. Are associated with the lives of persons significant in our past.
- C. Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

### **3.2 State**

#### **California Register of Historical Resources**

In California, the term “historical resource” includes, but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code (PRC) Section 5020.1(j)). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1(a)). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, listed below. According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be

*Mr. Mike Maffia*

*Subject: Cultural Resources Report for the Land Park Commercial Center EIR Project,  
Sacramento, California*

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demonstrated that sufficient time has passed to understand its historical importance (14 California Code of Regulations (CCR) 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

### **California Environmental Quality Act**

The following CEQA statutes under the PRC and CEQA Guidelines are relevant to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) define “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource;” it also defines the circumstances when a project would materially impair the significance of a historical resource.
- PRC Section 21074(a) defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; 14 CCR 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is a

*Mr. Mike Maffia*

*Subject: Cultural Resources Report for the Land Park Commercial Center EIR Project,  
Sacramento, California*

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“historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (PRC Section 21084.1; 14 CCR 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (PRC Section 21084.1; 14 CCR 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (14 CCR 15064.5(b)(1); PRC Section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

- (1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- (2) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- (3) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA (14 CCR 15064.5(b)(2)).

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project would cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

If it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2(a), (b), and (c)).



*Mr. Mike Maffia*

*Subject: Cultural Resources Report for the Land Park Commercial Center EIR Project,  
Sacramento, California*

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PRC Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2(a); 14 CCR 15064.5(c)(4)). However, if a non-unique archaeological resource qualifies as tribal cultural resource (PRC Sections 21074(c), 21083.2(h)), further consideration of significant impacts is required.

Section 15064.5 of the CEQA Guidelines assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in PRC Section 5097.98.

### **California Health and Safety Code**

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (Section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that human remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the California Native American Heritage Commission (NAHC) within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

### **3.3 Local**

#### **Sacramento Preservation Ordinance (Chapter 17.604, Historic Preservation)**

##### ***Sacramento Register 17.604.200***

The “Historic Preservation” chapter of the Sacramento City Code includes the following guidance regarding archaeological and historic resources:

- A. The ordinances adopting designations and deletions of landmarks, contributing resources and historic districts shall be known, collectively, as the “Sacramento register of historic and cultural resources” or the “Sacramento register.”
- B. The original Sacramento register and any subsequent amendments, inclusions, or deletions thereto shall be on file with the city clerk.
- C. All structures and preservation areas designated on the official register as of the date of enactment of Ordinance No. 2001-027 and on the Sacramento register as of the date of enactment of the ordinance codified in this chapter are included on the Sacramento register of historic and cultural resources (Sacramento register). All structures individually designated on the official register as essential or priority structures are designated landmarks on the Sacramento register, and shall be subject to the restrictions and conditions applicable to landmarks. All geographic areas previously designated as preservation areas designated on the official register are designated as historic districts on the Sacramento register, and are subject to the restrictions and conditions applicable to historic districts.
- D. The preservation director shall take appropriate steps to ensure that the Sacramento register is properly maintained, regularly updated, distributed to city staff as necessary to carry out the purpose and intent of this chapter, and made available to the public. The preservation director shall also take appropriate steps to maintain and regularly update a list or compilation of resources within the city that are on the California Register of Historical Resources or the National Register of Historic Places, and to make the list or compilation available for public review and use. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1).

***Criteria and Requirements for Listing on, and Deletion from, the Sacramento  
Register 17.604.210***

The criteria and requirements for listing on, or deletion from, the Sacramento register as a landmark, historic district or contributing resource are as follows:

A. Listing on the Sacramento register—Landmarks. A nominated resource shall be listed on the Sacramento register as a landmark if the city council finds, after holding the hearing required by this chapter, that all of the requirements set forth below are satisfied:

1. Requirements.

a. The nominated resource meets one or more of the following criteria:

- i. It is associated with events that have made a significant contribution to the broad patterns of the history of the city, the region, the state or the nation;
- ii. It is associated with the lives of persons significant in the city's past;
- iii. It embodies the distinctive characteristics of a type, period or method of construction;
- iv. It represents the work of an important creative individual or master;
- v. It possesses high artistic values; or
- vi. It has yielded, or may be likely to yield, information important in the prehistory or history of the city, the region, the state or the nation;

b. The nominated resource has integrity of location, design, setting, materials, workmanship and association. Integrity shall be judged with reference to the particular criterion or criteria specified in subsection A.1.a of this section;

c. The nominated resource has significant historic or architectural worth, and its designation as a landmark is reasonable, appropriate and necessary to promote, protect and further the goals and purposes of this chapter.

2. Factors to be considered. In determining whether to list a nominated resource on the Sacramento register as a landmark, the factors below shall be considered.

a. A structure removed from its original location is eligible if it is significant primarily for its architectural value or it is the most important surviving structure associated with a historic person or event.

- b. A birthplace or grave is eligible if it is that of a historical figure of outstanding importance and there is no other appropriate site or structure directly associated with his or her productive life.
  - c. A reconstructed building is eligible if the reconstruction is historically accurate, if the structure is presented in a dignified manner as part of a restoration master plan, and if no other original structure survives that has the same association.
  - d. Properties that are primarily commemorative in intent are eligible if design, age, tradition, or symbolic value invests such properties with their own historical significance.
  - e. Properties achieving significance within the past 50 years are eligible if such properties are of exceptional importance.
- B. Listing on the Sacramento register—Historic districts. A geographic area nominated as a historic district shall be listed on the Sacramento register as a historic district if the city council finds, after holding the hearing required by this chapter, that all of the requirements set forth below are satisfied:
  - 1. Requirements.
    - a. The area is a geographically definable area; or
    - b. The area possesses either:
      - i. A significant concentration or continuity of buildings unified by: (A) past events or (B) aesthetically by plan or physical development; or
      - ii. The area is associated with an event, person, or period significant or important to city history; or
    - c. The designation of the geographic area as a historic district is reasonable, appropriate and necessary to protect, promote and further the goals and purposes of this chapter and is not inconsistent with other goals and policies of the city.
  - 2. Factors to be considered. In determining whether to list a geographic area on the Sacramento register as a historic district, the following factors shall be considered:
    - a. A historic district should have integrity of design, setting, materials, workmanship and association;
    - b. The collective historic value of the buildings and structures in a historic district taken together may be greater than the historic value of each individual building or structure.

- C. Listing on the Sacramento register—Contributing resources. A nominated resource shall be listed on the Sacramento register as a contributing resource if the council finds, after holding the hearing required by this chapter, that all of the following requirements are satisfied:
1. The nominated resource is within a historic district;
  2. The nominated resource either embodies the significant features and characteristics of the historic district or adds to the historical associations, historical architectural qualities or archaeological values identified for the historic district;
  3. The nominated resource was present during the period of historical significance of the historic district and relates to the documented historical significance of the historic district;
  4. The nominated resource either possesses historic integrity or is capable of yielding important information about the period of historical significance of the historic district; and
  5. The nominated resource has important historic or architectural worth, and its designation as a contributing resource is reasonable, appropriate and necessary to protect, promote and further the goals and purposes of this chapter.
- D. Deletions from the Sacramento register. An application to delete a listed historic resource from the Sacramento register may be approved if the city council finds, after holding the hearings required by this chapter, that the listed historic resource no longer meets the requirements set forth above; provided that where a landmark or contributing resource is proposed for deletion due to a loss of integrity, the loss of integrity was not the result of any illegal act or willful neglect by the owner or agent of the owner. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1).

## **Sacramento 2035 General Plan**

### ***Part Two: Citywide Goals and Policies***

The “Historic and Cultural Resources” element of the General Plan describes the City’s goals and policy’s for:

- Citywide Historic and Cultural Preservation (HCR1): Policies in this section provide for identification, protection, and assistance in the preservation of historic and cultural resources. The policies maintain a citywide program consistent with the State and Federal

Certified Local Government program and State laws and regulations related to historic and cultural resources.

- Identification and Preservation (HCR2): Policies in this section provide for the identification of historic and cultural resources and ensure that City, State, and Federal historic preservation laws, regulations, and codes are implemented. Policies support the City actively pursuing the identification, protection, and maintenance of historic and cultural resources, including consultation with appropriate organizations and individuals early in the planning and development process to identify opportunities and minimize potential impacts to historic and cultural resources.
- Public Awareness and Appreciation (HCR3): Policies in this section support and provide for public education and appreciation of the value of Sacramento's historic and cultural resources, as well as City coordination with other entities to help develop and promote the preservation of Sacramento's historic and cultural resources.

## **4 FIELD AND RESEARCH METHODS**

### **4.1 Field Survey**

Dudek conducted a pedestrian survey of the project area on September 17, 2015. The purpose of the survey was to identify and record any potential historical resources located within the project area. The survey involved walking all accessible portions of the project area and taking detailed notes and photographs of the project area and its surroundings. Because the project area is entirely developed and contains no exposed sediment, intensive-level archaeological survey methods were not warranted. Three properties were identified as requiring recordation and evaluation on the appropriate State of California Department of Parks and Recreation Series 523 forms (see Appendix A): two single-family residences located at 1913 and 1919 Wentworth Avenue, and the former Capital Nursery property located at 4700 Freeport Boulevard. Photographs were taken with a digital camera. All field notes, photographs, and records related to the current study are on file with Dudek.

### **4.2 Archival and Building Development Research**

Dudek conducted archival and building development research on the three parcels to develop a site-specific history for the project area. This research involved contacting the City of Sacramento Community Development Department, the Center for Sacramento History, the Sacramento County Assessor's Office, the Sacramento Public Library, and the Los Angeles Public Library. Dudek reviewed all available building permit records and past

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ownership/occupant records. Books and newspaper articles were reviewed to develop a general history of the project area and the City. The original construction date of the buildings provided by the Sacramento County Assessor's online Property Assessment Information System was confirmed through review of building permits and historic aerial photographs. Dudek also consulted historic maps and aerial photographs to further understand the development of the project area and surrounding neighborhood (NETR 2011). Sanborn Fire Insurance Maps were not available for the project area.

### **4.3 Records Search**

In October 2014, Dudek requested a California Historical Resources Information System (CHRIS) records search from the North Central Information Center (NCIC), which houses cultural resource records for Sacramento County. Dudek received the results of the records search on November 18, 2014 (Confidential Appendix B). The search included any previously recorded cultural resources (including archaeological and historic built environment resources) and investigations within the project area, including within a 1-mile radius. The records search also included a review of the NRHP, the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list.

### **Previously Conducted Studies within 1-Mile of the Project Area**

A total of 23 cultural resources studies were previously conducted within a 1-mile radius of the project area (Table 1). None of these studies overlap the current project area. Confidential Appendix B provides maps of all previously conducted studies within the 1-mile radius and a complete bibliography from the NCIC.

**Table 1**  
**Previously Conducted Cultural Resource Studies within 1-Mile of the Project Area**

<b>NCIC Report Number</b>	<b>Title of Study</b>	<b>Author</b>	<b>Year</b>	<b>Proximity to Project Area</b>
000055	An Archaeological Reconnaissance of Possible Sewer Lines, Connectors and Storage Ponds in the City of Sacramento and Eastern Yolo Counties.	Johnson, Jerald J.	1976	Outside
001997	Pacific Bell Mobile Services: 3225 Freeport Blvd., Sacramento, Sacramento County: Site # SA-130-01.	Derr, Eleanor	1998	Outside
001998	Pacific Bell Mobile Services: 4520 Franklin Blvd. (at 21st street), Sacramento, Sacramento County: Site # SA-033-C1.	Derr, Eleanor	1998	Outside

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**Table 1**  
**Previously Conducted Cultural Resource Studies within 1-Mile of the Project Area**

<b>NCIC Report Number</b>	<b>Title of Study</b>	<b>Author</b>	<b>Year</b>	<b>Proximity to Project Area</b>
002028	Cultural Resources Investigation of the Captains Table Marina, Sacramento, Sacramento County, California	John Dougherty	1998	Outside
002029	An Archaeological Survey of the Excursion Train Extension Project, Sacramento County, California.	Kenneth McIvers	1987	Outside
002357	Archaeological Inventory Survey, Proposed William Land Park Sewer Relief Project, City of Sacramento, Sacramento County, California	Jensen & Associates	2000	Outside
003336	HABS Sacramento Junior College Library (Sacramento City College Learning Resources Center) (HABS No. CA-2659-A)	PAR Environmental Services, INC.	1996	Outside
003368	Cultural Resources Monitoring Report for the SMUD Cogeneration Pipeline Project	Melton, Laura June	1995	Outside
003489	Report on the First Phase of Archaeological Survey For the Proposed SMUD Gas Pipeline Between Winters and Sacramento, Yolo and Sacramento Counties	Waechter, Sharon	1993	Outside
003489B	Addendum to the Report on the Archaeological Survey for the Proposed SMUD Gas Pipeline Between Winters and Sacramento, Yolo and Sacramento Counties	Waechter, Sharon	1993	Outside
004206	Intensive Cultural Resources Survey and National Register Evaluation: Sacramento Urban Area Flood Control Project	Bouey, Paul	1990	Outside
004206B	Sacramento Urban Area Flood Control Project Big Pocket Explorations and Piezometer Installation Study	Toland, Tanis	2005	Outside
004398	Historical Resource Reconnaissance of a Proposed Nextel Communications Wireless Telecommunications Service Facility 3581 23RD Street	Billat, Lorna	2001	Outside
005814	Cultural Resources Survey Report Level (3) Long Haul Fiber Optic Project.	Munns, Ann and Turner, Rhonda R.	2000	Outside
006912	NHRP Evaluation & Proposed Cell Tower Finding of Effects Statement- Sacramento City College Municipal Water Tower, 3581 23rd Street, Sacramento, CA 95818	Tinsley, Wendy L.	2005	Outside
009423	Cultural Resources Baseline Literature Review for the Urban Levee Project	Joanne S. Grant	2008	Outside
010112	T-Mobile SC25428B (Anderson Raw Land)	Wayne Bonner	2008	Outside
010299	Cultural Resources Investigation for Clearwire Project CA-SAC0529A, 4970 Freeport Blvd	Carolyn Losee	2009	Outside



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**Table 1**  
**Previously Conducted Cultural Resource Studies within 1-Mile of the Project Area**

<b>NCIC Report Number</b>	<b>Title of Study</b>	<b>Author</b>	<b>Year</b>	<b>Proximity to Project Area</b>
010572	Cultural Resources Study of the Sign Company Project Clearwire Site No. CA-SAC0727	Dana E. Supernowicz	2010	Outside
010820	Verizon Cellular Communications Tower Site - City College LTE 3581 23rd Street (APN: 013- 0197-016) Sacramento, CA 95818	Hatoff, Brian	2010	Outside
011025	Cultural Landscape Survey and Evaluation of William Land Park City of Sacramento, California	Mead & Hunt and PGA Design, Inc.	2012	Outside
011176	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate SC06160A (Fruitridge & Freeport), 1900 Fruitridge Road, Sacramento, Sacramento County, California	Carrie Wills	2012	Outside
011240	Direct APE Historic Architectural Assessment for T-Mobile West, LLC Candidate SC06160A (Fruitridge & Freeport), 1900 Fruitridge Road, Sacramento, Sacramento County, California	Kathleen Crawford	2012	Outside

### **Previously Recorded Resources within 1-Mile of the Project Area**

The records search identified 14 previously recorded resources within a 1-mile radius of the project area (Table 2). None of these resources are located within the project area. In all, 3 of these resources are prehistoric and 11 are historic. The closest previously recorded resources to the project area include:

- Cook Co. (P-34-003459) located northeast of the project area on the corner of Freeport Boulevard and 20th Avenue. The property was found ineligible for the NRHP, but of local significance in 1985.
- William Land Park (P-34-003500) located north of the project area on the corner of Freeport Boulevard and 13th Avenue. The property was found ineligible for the NRHP in 1985.
- Riverside (P-34-000062) located west of the project area on the corner of McClatchy Way and Riverside Drive. The property is an archaeological site that does not appear to have been formally evaluated.

The resource database print-out sheet and maps of all previously recorded resources within a 1-mile radius of the project area is included in Confidential Appendix B.

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**Table 2**  
**Previously Recorded Cultural Resources within 1 Mile of the Project Area**

<b>Primary Number</b>	<b>Site Type</b>	<b>Resource Description</b>	<b>NRHP Eligibility Status</b>	<b>Recorded By and Year</b>	<b>Proximity to Project Area</b>
P-34-000055	Prehistoric	Habitation mound, Sutterville Road	Indeterminate	Bouey, 1934, 1990	Outside
P-34-000062	Prehistoric	Village site mound, Corner of McClatchy Way and Riverside Drive	Indeterminate	Heizer, 1934	Outside
P-34-000094	Prehistoric	Temporary camp site, not a mound, 300 yards south of Sutterville Road at Southern Pacific Railroad crossing	Indeterminate	Riddell, F.A., (undated)	Outside
P-34-000531	Historic	Street furniture, curbs "Land Park Curbs," road-side curbs adjacent to William Land Park Drive and other Park roads	Indeterminate	Jensen, Peter, 1999	Outside
P-34-001427	Historic	Sacramento City College Municipal Water Tower, 3581 23rd Street	Ineligible	Tinsley, Wendy, 2011	Outside
P-34-002372	Historic	Sacramento City College Historic District, 3835 Freeport Boulevard	Listed	Caesar, C., 1985 Barudoni Deglow, et al., 1993	Outside
P-34-002855	Historic	Sacramento Stadium/Hughes Stadium, 3835 Freeport Boulevard	Indeterminate	Kreutzberg, Hans	Outside
P-34-003459	Historic	Cook Co., 4305 Freeport Boulevard	Ineligible	Caesar, C., 1985	Outside
P-34-003500	Historic	William Land Park, Sutterville Road and 17th Avenue	Indeterminate	Caesar, C., 1985	Outside
P-34-003538	Historic	Fasto Foto, House of Custom Tailoring, Greenbaum & Whitelaw, architects, 2100 11th Avenue	Indeterminate	Caesar, C., 1985	Outside
P-34-003891	Historic	Camp Union, Sutterville Road	Indeterminate	Elder, Sandy, 1979	Outside
P-34-004259	Historic	Weidner Architectural Signage Building, 5001 24th Street	Ineligible	Supernowicz, Dana E., 2010	Outside
P-34-004475	Historic	Building 4/City of Sacramento Corporation Yard, 5730 24th Street	Ineligible	Supernowicz, Dana E., 2011	Outside
P-34-004529	Historic	T-Mobile West LLC SC06160A/Fruitridge & Freeport, 1900 Fruitridge Road	Ineligible	Crawford, K.A., 2012	Outside

#### **4.4 Native American Coordination**

As part of the process of identifying cultural resources within or near the project area, Dudek contacted the NAHC to request a review of their Sacred Lands File. The NAHC emailed a response on November 3, 2014 (Appendix C), stating that the Sacred Lands File search “failed to indicate the presence of Native American cultural resources in the immediate project area.” The NAHC also provided a contact list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. Dudek prepared and mailed letters (see Appendix C) to each of the NAHC-listed contacts on September 22, 2015, requesting information regarding any Native American cultural resources within or immediately adjacent to the project area. To date, Dudek has not received any responses. Dudek’s letter also reminded tribes to contact the CEQA lead agency if they wish to receive Assembly Bill (AB) 52 notification.

### **5 HISTORIC CONTEXT**

#### **5.1 Early Sacramento**

John Sutter arrived on the shore of the American River near its confluence with the Sacramento River in 1839. Sutter and his landing party established Sutter’s Fort, with the promise of a Mexican land grant. The settlement’s growth and permanency attracted other businessmen seeking opportunities. Sutter and the businessmen created a commercial center in the area, but it was not until the Gold Rush in 1848 that the City of Sacramento was created. The gold was discovered by James Marshall in the nearby foothills. Eager to take advantage of the convenient waterfront location, local merchant Sam Brannan rushed to open a store near the Sacramento River (Legends of America 2003). The area originally called Sutter’s Embarcadero was soon known as the City of Sacramento. The City swiftly grew into a trading center for miners supplying themselves for the gold fields.

The City of Sacramento was incorporated in 1850, and the name was taken from a nearby river, meaning “Holy Sacrament” (City-Data 2009). The waterfront location of early Sacramento made it a prime commercial town; however, severe flooding and repeating fires presented real threats to the area. The first devastating flood hit the newly built city in 1850, and a second hit in 1852 when high water wiped out the area. Around the same time, repeated fires engulfed the City’s rapidly constructed buildings composed mainly of wood and canvas. Therefore, it was apparent extreme measures had to be taken to save Sacramento. A mammoth project was proposed in 1853 to raise the City above the flood level. While ambitious, this proposal was expensive and was ultimately declined. Nonetheless, the City survived and became the capital of California in

1854. Construction of the Sacramento Valley Railroad began during the mid-1850s, with the financial backing of businessmen known as the Big Four: Collis P. Huntington, Mark Hopkins, Charles Crocker, and Leland Stanford. Not long after, Sacramento became the terminus of California's first railroad. The Pony Express and the transcontinental telegraph followed. With another devastating flood that swept the area in 1862, the previously proposed project of raising the City above flood level resurfaced. For the next few years, thousands of cubic yards of earth were brought in on wagons, and the process of raising the street level began (Legends of America 2003). With the Central Pacific Railroad joining the east and west coasts in 1869, the Sacramento farmers began shipping their produce to the east (City-Data 2009).

As the Gold Rush declined, Sacramento became the center for the developing commercial agriculture industry (Legends of America 2003). To prepare planes to fly to Europe during World War I, Mather Field was established in 1937 and became an important base of operations during World War II. The military installations during both wars brought an influx of people to the area, many of whom stayed after World War II and prompted the development of the private sector (City-Data 2009). Following World War II, the automobile-oriented housing development soared and the remaining agricultural uses were converted to tract housing. With the development of the suburbs and the population moving outside of the City, downtown Sacramento fell into decay by the 1950s (City-Data 2009). In the 1960s, the W-X (Highway 50) and Highway 99 freeways were built, separating neighborhoods such as Land Park from Midtown, Downtown, and Oak Park (City of Sacramento 2009).

During the twenty-first century, when modernization came to the City, the center of the commercial district gradually moved east and the original part of Sacramento on Sutter's Embarcadero became a slum, known as the worst skid row west of Chicago. A plan was proposed to redevelop this area in the mid-1960s, following which the first historic district in the West was created and became known as Old Sacramento.

## **5.2 Land Park Neighborhood**

The project site is located within the South Land Park neighborhood, which falls within the larger Land Park Community Plan area. The South Land Park neighborhood underwent residential development later than that of Land Park, mostly occurring between the late 1940s and 1950s. However, Capital Nursery was constructed earlier than much of the residential development in South Land Park, and largely serviced the community of Land Park when it first opened.

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The Land Park neighborhood in Sacramento was originally a part of John Sutter's Mexican land grant known as Helvetia. As John Sutter's fort grew, he aimed to relocate the population center by building a town on high, flood-proof lands in present-day southern Land Park. A town named Suttersville was mapped out about 3 miles south of the current City of Sacramento by an engineer Sutter had hired. Due to its location near the Sacramento River, Suttersville out did the upriver port of Sacramento for several years. The town soon had a hotel and several saloons and businesses, including a ship's carpenter, doctor, and brewery. Native Americans, Gold Rush chasers, farmers, soldiers, cattle ranchers, and saloonkeepers spent time in the dusty streets of Suttersville from the 1840s to the 1900s. In the 1860s, the current Sacramento Zoo was the site of a Civil War military base known as Camp Union. However, situations involving Sutter's incompetent money handling and the Marshall gold discovery reset the focus of development toward Sacramento, and Suttersville was unable to fulfill its promise as a thriving town (Isidro 2005).

Pioneer ranchers, hop growers, dairymen, and homesteaders who enjoyed the proximity to the City and the river populated the large tracts of land in the southern area currently known as Land Park. Early settlers resided around Riverside Road, which was eventually annexed to the City. The rest of the population resided along Freeport Road or Suttersville Road. Early families had various businesses along the main roads, among which were the Swanston family who raised cattle along the Riverside Road. Charles Swanston, an Ohio native, was one of Sacramento's original pioneers who came to California in 1881. He founded C. Swanston and Son Meat Packing Company in 1886. His son George Swanston was instrumental in promoting the southern Sacramento area as the site for William Land Park. Others included the Cavanaugh family who ran the riverside Union Dairy on Swanston Drive.

Despite its inhabitants, the Land Park area used to have an odoriferous reputation. For years the City of Sacramento deposited its raw sewage across its city line at Y Street via a series of drainage ditches and sloughs. Furthermore, the region's three cemeteries, including Sacramento's old city cemetery, where thousands of residents were entombed, added to the area's lack of appeal. The land south of Y Street was considered the flood spill for Sacramento. During flood events the levees would open to save the Sacramento city proper. Reaching downtown was a difficult task, especially for residents of the south area who had to drive for miles around the inundated lands. On the other hand, unregulated saloons, bars, and speakeasies blossomed in the southern neighborhoods. During local brewery wars, a "whisper campaign" resisted that the old Suttersville Brewery used slough water for its ale. Also, rumors circulated that a brewery worker drowned in a barrel and was brewed into beer. A notorious roadhouse known as the Bush Quinn speakeasy at the corner of Suttersville Road and Riverside Boulevard

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reportedly served liquor to minors and girls, thereby ruining Land Park's reputation prior to its development (Isidro 2005).

Businessman and hotel owner William Land, who had made his fortune in Sacramento, bequeathed \$250,000 to the City in 1911 for development of a public park in Sacramento (Sacramento Bee 2012a). The 238-acre plot of land was located north of Sutterville Road and was purchased in 1918 for \$147,000. Previously, portions of the land had been used by the City to deposit raw sewage (Sacramento Park Neighborhoods n.d.). Initially, residents were opposed to the development of a park in the present-day Land Park area and instead elected to build the park in Del Paso. The Sacramento Bee also opposed the park by running several editorials claiming that grass would not grow in that area, let alone a tree. The articles claimed that the area was simply a "swamp and hardpan" (Isidro 2005). Nonetheless, on an appeal in 1922, the court overturned the public referendum and approved the original contract, allowing development of the park to proceed. Land Park followed the same general development process as other parks in the region, including East Sacramento and Curtis Park. The development of William Land Park revived the appeal of the area as a residential neighborhood. Larger parcels were subdivided into smaller tracts, which were sold to individual builders for small-scale developments. Soon after the grading and sidewalk construction were completed, trees were planted along the wide-curving boulevards and major entrance roads (Sacramento Park Neighborhoods n.d.). Between the 1920s and 1940s, luxury homes were built along the streets surrounding the park. The tracts were not coordinated for design consistency, and each house was designed to have its own individual character. The Land Park area grew slowly and steadily until World War II, when a demand for housing converted hop fields to housing tracts, resulting in the development of neighborhoods such as College Tract, Swanston tract, and Sutterville Heights (Isidro 2005).

Before long, the once odoriferous Land Park had transformed into a desirable residential neighborhood with distinctive architecture and tree-lined streets. The area was described in a home marketing advertisement as "the perfect environment outside in sunshine and fresh air, with healthful surroundings" (Isidro 2005). The residential area of Land Park became dominated by a mixture of smaller houses and estate-like homes fronting William Land Park. Most of the commercial developments within Land Park are located along Freeport Boulevard, Broadway, and Riverside Boulevard. Compared to other park neighborhoods in Sacramento, Land Park has the highest percentage of parkland (Sacramento Park Neighborhoods n.d.). Land Park has been home to many prominent citizens, including Supreme Court Justice Anthony Kennedy, author Joan Didion, painter Thomas Kincade, and numerous politicians amongst others (Isidro 2005).

### **5.3 Capital Nursery Company**

Charles G. and Eugene R. Armstrong (the Armstrong brothers) founded the Capital Nursery Co. in 1936. The family owned company functioned as a nursery and served the Sacramento region until 2012 (Sacramento Bee 2014). The flagship store on Freeport Boulevard began operating in 1936, followed by the Sunrise Boulevard location in 1963, and the Elk Grove store in 1984 (Sacramento Bee 2012b). Chuck Armstrong, whose father and uncle founded the Nursery, owned the company prior to his retirement in 2012 (Sacramento Bee 2012c). Capital Nursery has been identified by many Sacramento residents as a local treasure and institution, as it had a great influence on local gardens and gardeners for over 60 years. For many locals, Capital Nursery was more than a nursery; it was also a place to go for landscape design and expert horticulture advice. Capital Nursery was the main source of landscaping and garden design for generations of Sacramento residents, and the terms “Sacramento Gardening” is too often associated with “Capital Nursery”. Shopping at the Capital Nursery had become a family tradition for many local residents. A local newspaper article reports “every home in Sacramento has at least one plant from Capital Nursery” (Sacramento Bee 2012d). For decades the Capital Nursery Company was the only local nursery that offered a wide variety of trees, shrubs, perennials and annuals (Sacramento Bee 2012d). In 2012, the company closed all of its locations, including the flagship store in Sacramento on Freeport Boulevard (project area), Citrus Heights, Elk Grove, and Rocklin (Sacramento Bee 2014).

## **6 DEVELOPMENT HISTORY OF THE PROJECT AREA**

Historical aerial photographs of the project area were available for the years 1947, 1957, 1964, 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 (NETR 2011). By 1947, the area surrounding the project area was partially developed. By that time, most development appears to be residential and located to the north, south, and southeast of the project area. As evident in 1947 aerials, the parcels west and northwest of the project area were a mixture of residential and agricultural developments. The parcel located immediately across Freeport Boulevard was mostly undeveloped with the exception of some residential development to the south. The project area was partially developed by 1947 and contained 6 structures. Historic aerial photographs confirm the construction of Buildings 2 and 12 (see Figure 2 for building numbers) by 1947 (by this time, the Land Park residential neighborhood was entirely developed. By 1957, the South Land Park residential neighborhood has been fully developed. The area immediately surrounding the project area was fully developed with single-family residences, and the once vacant land on the east side of Freeport Boulevard was developed with new commercial properties. The parcels west and northwest of the project area were fully developed and mostly contained residential buildings. The project area was further developed

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by 1957, and small ancillary structures, no longer extant, were developed throughout the project area, at the site of current Buildings 4, 5, 7, 8, 13, 14 and 15. By that time, two structures (no longer extant) stood where Buildings 10 and 11 currently are. Historic aerials confirm the construction of Buildings 1, 6 and 9 by 1957. By 1964, a small ancillary structure appears west of Building 12. Historic aerials from 1966 do not reveal any changes to the project area or the surrounding area. By 1993, Buildings 7 and 8 replaced the two original structures, and Buildings 4, 5 and 16 were erected. By that time the ancillary structure previously west of Building 12 was demolished. Also as evident in 1993 aerials, Buildings 13, 14 and 17 were erected. The same aerials do not reveal any changes to the surrounding area. Photographs from 1998 reveal the construction of Building 15. Historic aerials from 2002 reveal construction of Building 3. Historical aerials from 2005, 2009, 2010 and 2012 do not reveal any changes to the project area or the surrounding area.





0 45 90 Feet

- On Site Building Footprints
- Project\_Boundary

DUDEK

SOURCE: Bing Maps

Land Park Raley's

**FIGURE 2**  
On Site Building Footprints

Historic aerial photographs from 1998, 2002, 2005, 2009, 2010, and 2012 do not reveal any changes to the surrounding, or the project area. Currently, the project area includes 16 vacant structures that consist of the former main store building (Building 12) and numerous warehouse and ancillary buildings, as well as two residential properties, Building 1 (1913 Wentworth Avenue) and Building 2 (1919 Wentworth Avenue), from various time periods. Building 12 (4700 Freeport Boulevard) is a commercial/industrial structure that functioned as one of the main stores, and was among the first structures built in the project area. Building 1 is a single-family residence that was owned by the Capital Nursery (Permit no. 9716104). Building 2 is also a single-family residence.

## **7 PROPERTY SIGNIFICANCE EVALUATIONS**

Although building development research suggests Buildings 1, 2, 6, 9 and 12 were built prior to 1964, the field survey revealed that Buildings 6 and 9 have been demolished and replaced (date unknown) since the initial date of construction. Building development research and archival research failed to reveal any information on ancillary Buildings 6 and 9 and their construction and use. Building development research reveals that ancillary Buildings 3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16 and 17 were constructed less than 45 years ago (NETR 2011). As such, those buildings are not considered historic and were not evaluated for this study.

### **7.1 4700 Freeport Boulevard**

#### **Property Description**

The property at 4700 Freeport Boulevard (the subject property) is located on APN 017-0121-001. The subject property is a Vernacular-style industrial/commercial structure built in 1946 (Sacramento County Assessor). At the front entrance (along Freeport Boulevard) the subject property is sheathed in lath and red stones and consists of the octagonal-shaped open-air rotunda flanked on either side by open-air spaces (Photograph 1). Featured on the octagonal-shaped rotunda is a wing sheathed in red stones, featuring multipaneled windows, a hipped roof, and two double-doors. Two triangular planters are located on the concrete surface in front of this elevation. A paved parking area runs along this section of the structure. The subject property also consists of a garden shop (located within the rotunda) (Photograph 2), a greenhouse (west of the rotunda), a restroom (southwest of the rotunda), and multiple indoor/outdoor hallways, which house the garden nursery(s) (south, west and southwest of the rotunda). The south hallways are partially covered and consist of built-in wooden tables attached to square columns, and have paved walkways (Photograph 3). The west hallways are paved and feature trusses and side openings covered with removable fiberglass panels (Photograph 4). An enclosed structure (assumed as the 1962 office addition) is located at the end of the south-west hallway. This office



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space features low ceilings, simple load-bearing columns and built-in cabinets, and appears in poor condition (Photograph 5). The greenhouses feature multiple fenestrations, fiberglass panels, and built-in tables of bedding plants and flats, and are sheathed in a combination of steel plates, slats, and drywalls (Photograph 6). The restroom structure consists of a hipped-roof, and is clad in smooth stucco. This structure features multiple fenestrations, including single doors and various sized windows (Photograph 7).

A 1956 aerial photograph of the subject property on file with the City indicates the building has been subject to multiple exterior alterations on its south, west, and southwest since that time period (Capital Nursery Catalog 1956). Building development research confirms these alterations. Building records reveal the lath house (south) was constructed in 1958 (Permit No. C-7974). Building permits dating to 1960 reveal that a nursery rain cover (south) was constructed (D-7380) and was enclosed in 1961 (D-7577). In 1962, the aluminum and glass greenhouse (west) was constructed (E-2625). An office addition (southwest) took place to the garden nursery (E-1725) in 1962. Building permits reveal the garden shop was re-roofed in 1973 (A-8156), and a heating, ventilation, and air conditioning (HVAC) system was installed in 1975 (C-5956). As revealed by 1991 (A-8298) and 1992 (B-2340) building permits, the garden shop was remodeled and an HVAC system was installed in 1992 (B-6291); another remodeling took place in 1994 (949879).



***Photograph 1.*** Overview of Front Entrance (view to southwest)

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***Photograph 2.*** Partial view of the garden shop (view to northeast)



***Photograph 3.*** Overview of a south hallway (view to south)

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**Photograph 4.** Overview of a west hallway (view to west)



**Photograph 5.** Partial view of the 1962 Office Addition (view to southwest)



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**Photograph 6.** Overview of Greenhouse Interior (view to east)



**Photograph 7.** Overview of Restroom Building (view to southwest)

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### ***Historical Significance***

Capital Nursery has made a name for itself in the Sacramento region for providing exceptional customer service, knowledgeable staff, quality products, and a large selection of plants. The South Land Park location has become a fixture of the community, having occupied its location on Freeport Boulevard for nearly 80 years. It has served as a mainstay for home gardeners and has earned the sentiment of local families throughout the City, who have decades of memories shopping at the Freeport Boulevard location. However, archival research failed to demonstrate any associations with events that have contributed to broad patterns of history or development within the Land Park Community Plan area or the City of Sacramento. Capital Nursery was a chain with several locations in the Sacramento region, including Citrus Heights, Elk Grove, and Rocklin. While the South Land Park store was known as the flagship location, there is no evidence to indicate that the sentiment felt for Capital Nursery among home gardeners in Land Park area is unique to the Freeport Boulevard store. As an example, one article says of the Elk Grove location: “The Elk Grove Boulevard location was so much a part of the community that local commonly referred to Capital as “the Elk Grove nursery” (Sacramento Bee 2014). This type of sentiment is certainly a testament to Capital Nursery’s quality of service, longevity, and commitment to its customers, but it is not an indication of the Freeport Boulevard location’s association with important events. Further, there is no evidence that the store made important contributions to local landscaping in the surrounding residential neighborhood. While many residents purchased and installed plants from the Freeport Boulevard store and received landscaping instruction from Capital Nursery staff, a distinctive landscaping design aesthetic is not reflected by the Land Park Community Plan area. As previously stated, Capital Nursery was a chain with other locations in the region that sold the same products and services. **For all these reasons, the subject property does not appear eligible under NRHP/CRHR Criteria A/1, nor does it appear eligible under City Landmark Criteria i.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated and yielded no additional information relevant to either the subject property’s history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2, nor does it appear eligible under City Landmark Criteria ii.**

The subject property is an industrial/commercial structure in Vernacular architectural style that has been subject to a number of exterior and interior alterations since the initial date of its construction. Exterior alterations include construction of a lath house in 1958, a nursery rain cover in 1960, and the nursery rain cover’s enclosure in 1961; construction of a greenhouse; and

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addition of an office to the garden nursery in 1962, all of which have significantly compromised the integrity of the original design. Additionally, the garden shop was re-roofed in 1973 and an HVAC system was installed in 1975. Interior alterations include remodeling of the garden shop and an HVAC installation in 1992, followed by another remodeling in 1994. The additions and alterations over the years have compromised the integrity of the original design and materials of the subject property. Much of the subject property's original materials in the exterior and interior have been lost as a result of numerous alterations since the initial construction. Additionally, the subject property appears to be in poor condition; door and window frames have been removed in various parts of the interior (garden shop, restrooms, and greenhouse). The roof is also damaged in the restroom structure. Concrete pavements have either been removed or are in poor condition throughout most parts of the subject property; wood posts and beams appear in poor condition due to excessive moisture; and loose wires are dangling from the ceiling in various parts of the interior. Built-in cabinets and plant stands are damaged in parts of the interior. Additionally, wall surfaces are damaged, and a number of glass windows are missing and currently boarded up. Termites are present on wood elements throughout the structure, and vegetation is growing in-between concrete cracks. Furthermore, overgrown vegetation is present in most parts of the subject property. In summary, the subject property does not embody distinctive characteristics of a type, period, or method of construction, nor does it possess high artistic value.

Archival research reveals the subject property was designed by master architect Leonard Starks (Nacht and Lewis 2014a). Leonard F. Starks was born in Healdsburg, California. He studied architecture in San Francisco under a matching study system of the Paris Ecole des Beaux Arts. His first practice as a designer was on the Panama-Pacific International Exposition in San Francisco (1913–1915). Following, he moved to Washington D.C. where he worked for architect Waddy Butler Wood, and then to New York City, where he initially worked as office manager for Thomas W. Lamb. Over the next few years, Starks assisted Lamb in design of several theaters across New York, including the Rivoli and the Capital. In 1921, he was sent to Sacramento to design a chain of Pacific Coast theaters for the Famous Players theater chain. However, when an antitrust action blocked that project, Starks gave up his position with Lamb and decided to remain in Sacramento where he formed his own architectural firm.

Between 1921 and 1941, Starks designed many of Sacramento's civic and commercial properties, including the Fox Senator Theater in Downtown Sacramento (1923), which was demolished in the 1970s. In partnership with E.C. Hemmings, Starks practiced for a year in Sacramento at Hemmings and Starks, Architects, in 1923 (PCAD 2015). Among his projects during that time were W.P. Fuller Company Building and the Elks Tower (1926) in Italian Renaissance style (Nacht and Lewis 2014b). Later in the 1920s, he was partner and practiced at



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Starks and Flanders, Architects, in Sacramento, where he designed the addition to the California National Bank (1926), the no longer extant Alhambra Theater (1927) in Moorish style, the Blue Anchor Building (1931), the NRHP-listed Federal Building (1933) that exhibits several early twentieth century revival styles, and the NRHP-listed C.K. McClatchy High School (1949) in Classical Revival style. Starks and Flanders were also involved in numerous commercial and several private residential designs throughout Sacramento and San Joaquin Valleys. Starks was also among the architects of the NRHP-listed New Helvetia Historic District (1942) (Boghossian 2013).

Furthermore, Starks was the president of the Society of Sacramento Architects, an architectural organization for Sacramento architects in the early 1930s (PCAD 2015). Starks founded Starks Jozens & Nacht, which was later taken over by Daniel J. Nacht as today's Nacht & Lewis Architects (Forgotten Books 2013). Starks was a prominent Sacramento architect who designed some of the most important buildings in the downtown area. He is recognized for his theater design and civic projects, as well as a number of commercial projects in Sacramento. The architect's most noteworthy buildings (Elk Tower, Blue Anchor Building, Federal Building, and the C.K. McClatchy High School) are in early twentieth century period revival styles and exhibit elaborate ornamentation.

Considering the breadth of his career in the City of Sacramento, it is clear that Starks's most important and significant work occurred in the 1920s and 1930s in the downtown area. The subject property is a late, and not particularly noteworthy, example of Starks's work and does not possess the high artistic values that he is known for in the City of Sacramento. Therefore, the subject property is not eligible for representing the work of a master architect.

Furthermore, building development research suggests the 1962 office addition to the garden nursery was designed by master architect Dean Unger, however, archival and building development research failed to reveal the exact location of the addition. Dudek assumes the location of the addition at the end of the south-west hallway (see Photograph 5). Born in Sacramento, Dean Frederick Unger received a Master of Arts degree in Architecture from the University of California, Berkeley. After graduation he volunteered to serve in the Air Force during the Korean War and acted as a second lieutenant. Toward the end of the war, Unger returned to Sacramento where he worked as a draftsman for Ken Rickey and Fred Brooks. He established his solo practice Dean F. Unger, AIA, Inc. in 1959 in Sacramento. Unger served as president for the Central Valley Chapter of The American Institute of Architects. He was a member of the first Sacramento County Parks and Recreation Commission, which coined the phrase "Discovery Park" and started the American River Parkway right-of-way. He was also a member of the Sacramento City Housing Appeals Board. California Governor Ronald Reagan appointed Unger to the State Board of

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Architectural Examiners where he served 4 years as Board President. Unger received a fellowship in the American Institute of Architects in 1982. During his term on the State Board of Architectural Examiners, as a fellow of the American Institute of Architects, and as a member of National Council of Architectural Registration Board, Unger chaired the group to formulate the National Architect Design Exam and the Exam for General Knowledge of the Practice of Architecture during the 1970s. Dean Unger's most notable work included the Yolo County Administration Center in Woodland (1984), the Tuolumne County Administration Building in Sonora, the Teichert Corporate Headquarters, the Point West Executive Park and the Farm Credit Banks in Sacramento, the Gold River Executive Center in Gold River, the Aspen Neighborhood, 5th and G Street Plaza, the University of California Davis Faculty Club, and the Veteran's Memorial Building in Davis (American Institute of Architects 2011).

Dean F. Unger was a Sacramento architect who has designed numerous commercial, residential, educational, and administrative buildings throughout the City, however, archival research reveals that most of his designs were in the Modern style. The 1962 office addition to the subject property does not embody characteristics of a particular type, period, or method of construction. Additionally the office addition appears in poor condition; parts of the interior have been subject to alterations and the exterior surfaces exhibit signs of excessive moisture and termite damage, additionally, some of the windows, doors and frames, as well as roof shingles are missing. Regardless, the office addition does not embody distinctive characteristics of a type, period, or method of construction, and it is not a notable example of Unger's work. There are other extant examples of his work that embody distinctive characteristics and are better representatives of Unger's designs.

In summary, although both Leonard F. Starks and Dean F. Unger have been involved in the design and development of the subject property (during different times), the subject property does not represent an outstanding example of either architect's work. Furthermore, the subject property does not embody distinctive characteristics of a particular style, type, period, or method of construction, and as previously discussed, it has been subject to a number of alterations that have impacted the integrity of its original design. Also, the subject property appears in poor condition. **For all of these reasons, the subject property does not appear eligible under NRHP/CRHR Criteria C/3, nor does it appear eligible under City Landmark Criteria iii, iv, or v.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history, beyond what has already been identified as a result of the current study. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria D/4, nor does it appear eligible under City Landmark Criteria vi.**

## **7.2 1913 Wentworth Avenue**

### **Property Description**

The property at 1913 Wentworth Avenue (the subject property) is located on APN 017-0121-010. The subject property is a Minimal Traditional-style single-family residence built in 1950 (Sacramento County Assessor). The subject property is a one-story concrete-block building, with a hipped roof sheathed in asphalt shingles. The main elevation faces Wentworth Avenue and features multiple fenestrations, including a sliding window flanked by decorative wood panels on both sides, a single-door entry featuring a screen-door, a large picture-window, and a roll-up garage door. The main elevation features slight eave-overhang. The entrance, located toward the center of the elevation, is recessed. This part of the elevation also features two simple square columns. A large, empty planter is also located in front of the main elevation, adjacent to a driveway (Photograph 7). The west elevation faces a private walkway and features three small sliding windows and a downspout gutter. A smaller planter, adjacent to this elevation, separates the subject property from the walkway. The walkway leads to a wood slat fence (Photograph 8). The subject property's east elevation faces the property at 1919 Wentworth Avenue and features a vent located in the center of the elevation. Access to south elevation was not obtained.

Building development research revealed the subject property has been subject to a number of minor alterations since the initial date of its construction. Building records on file with the City reveal the subject property was owned by Vivian M. Christesen in 1965. Building permits reveal an HVAC system was installed in 1994 (Permit No. 943041), followed by a new roof installation (9716104) and plumbing system (9713440) in 1997. Building permits also reveal that a new electrical system (9802604) was installed in 1998 and repaired in 2006 (0601967). Building development research failed to reveal additional information on the subject property. Other observed alterations include replacement of the garage door (date unknown).

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***Photograph 7.*** Overview of Main Elevation (view to north)



***Photograph 8.*** Overview of West Elevation (view to northeast)

### ***Historical Significance***

Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park community. The property appears to have always functioned as a residence since the initial date of its construction (1950). Building records reveal the subject property was owned by Vivian M. Christesen in 1965. Building records from 1998 reveal the subject property was owned by Capital Nursery Co. (Permit no. 9716104). Archival research failed to reveal any information on the specific use of the property or its association with Capital Nursery or its owners, and there is no indication that it is associated with important events. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria A/1, nor does it appear eligible under City Landmark Criteria i.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated and yielded no additional information relevant to either the subject property's history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2, nor does it appear eligible under City Landmark Criteria ii.**

The subject property is a Minimal Traditional-style single-family residence that has been subject to a number of alterations since the initial date of its construction. Exterior alterations include replacement of the roof, front door, and garage door. Furthermore, archival research failed to reveal the name of an associated architect or builder. Regardless, the building is not an outstanding example of its style (lacking many of the character-defining features commonly found in Minimal Traditional residences), does not possess high artistic values, and does not represent the work of a master. **As such, the building does not appear eligible under NRHP/CRHR Criteria C/3, nor does it appear eligible under City Landmark Criteria iii, iv, or v.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history, beyond what has already been identified as a result of the current study. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria D/4, nor does it appear eligible under City Landmark Criteria vi.**

## **7.3 1919 Wentworth Avenue**

### **Property Description**

The property at 1919 Wentworth Avenue (the subject property) is located on APN 017-0121-009. The subject property is a Vernacular-style single-family residence built in 1938

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(Sacramento County Assessor). The subject property is a one-story structure sheathed in horizontal wood siding and features a pitch roof with a considerable eave-overhang on the main elevation. The main elevation faces Wentworth Avenue and features four narrow square columns, supporting the eave-overhang, and a single door located in the center of the elevation, which is flanked by a large multipaneled, single-hung window on both sides. The overhang creates a front-porch area that is slightly elevated and sheathed in red bricks. The porch is accessed from the front, west, and east (Photograph 9). The west elevation faces the property at 1913 Wentworth Avenue and features two small single-hung windows and a considerably smaller sliding window, as well as a vent (Photograph 10). The east elevation faces a paved driveway and features three double-hung windows. View of the last window is obstructed by a slat fence, extending across the driveway, connecting the subject property to a shed structure (Photograph 11). Access to south elevation was not obtained.

Building records on file with the City reveal the subject property was owned by Richard V. and Lillian J. Collins in 1965 and by Joseph and Esther Battyany from 2004 to 2008. Building records on file with the City reveal the property was remodeled in 1958 by then tenant John Simmons. The records fail to reveal detailed information on the remodeling. Building records reveal the subject property was owned by Capital Nursery in 2010 and 2011. Observed alterations include a new roof, replacement of both windows on the main elevation, replacement of the middle window (originally larger) on the west elevation with the extant small sliding-window, and addition of bricks to the porch surface.



***Photograph 9.*** Overview of Main Elevation (view to north)



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**Photograph 10.** Overview of West Elevation (view to northeast)



**Photograph 11.** Overview of East Elevation (view to northwest)

### ***Historical Significance***

Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park community. The property appears to have always functioned as a residence since the initial date of its construction (1938). Building development research reveals the subject property was owned by Richard V. and Lillian J. Collins in 1965 and by Joseph and Esther Battyany from 2004 to 2008. Building records reveal the subject property was owned by Capital Nursery in 2010 and 2011. Archival research failed to reveal information on the specific use of the property and its association with Capital Nursery, and there is no indication that it is associated with important events. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria A/1, nor does it appear eligible under City Landmark Criteria i.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated and yielded no additional information relevant to either the subject property's history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2, nor does it appear eligible under City Landmark Criteria ii.**

The subject property is a Vernacular-style single-family residence that has been subject to a number of exterior alterations since the initial date of its construction. Major exterior alterations include a new roof, replacement of both windows on the main elevation, replacement of the middle window on the west elevation, and addition of bricks to the porch surface. Additionally, the subject property appears in poor condition; wood-sidings are deteriorating on three exterior surfaces, window frames and sashes present significant termite damage, and the porch surface is deteriorated and presents cracks in the concrete and missing bricks. Furthermore, archival research failed to reveal the name of an associated architect or builder. Regardless, the building has been subject to exterior alterations and has been so deteriorated that it can no longer convey its original design. **As such, the building does not appear eligible under NRHP/CRHR Criteria C/3, nor does it appear eligible under City Landmark Criteria iii, iv, or v.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history beyond what has already been identified as a result of the current study. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria D/4, nor does it appear eligible under City Landmark Criteria vi.**



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## **8 SUMMARY OF FINDINGS**

No previously recorded cultural resources or previously conducted cultural resources studies were identified within the project area as a result of the records search, Native American coordination, or background research. However, all built environment resources within the project area had not been previously recorded or evaluated. As part of the current study, the properties at 4700 Freeport Boulevard and 1913 and 1919 Wentworth Avenue were recorded and evaluated for NRHP, CRHR, and City Landmark eligibility in consideration of all designation criteria and integrity requirements.

As a result of the current study, the properties at 4700 Freeport Boulevard and 1913 and 1919 Wentworth Avenue were found not eligible under all designation criteria and integrity requirements. These properties are not considered historical resources for the purposes of CEQA. Therefore, the proposed project will result in a less-than-significant impact to historical resources.

No additional management recommendations are required for historic built environment resources within the project area, however, standards protection measures for unanticipated discoveries of archaeological resources and human remains are provided.

## **9 MANAGEMENT RECOMMENDATIONS**

### **9.1 Unanticipated Discovery of Archaeological Resources**

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

### **9.2 Unanticipated Discovery of Human Remains**

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within 2 working days of

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notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with Section 5097.98 of the PRC, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete his or her inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Should you have any questions regarding this evaluation report or its attachments, please do not hesitate to contact me via email at smurray@dudek.com or via phone at 626.204.9826.

Sincerely,



Samantha Murray, MA, RPA  
Senior Architectural Historian and Archaeologist



Salli Hosseini, MAHP  
Architectural Historian

Appendix A: Department of Parks and Recreation Forms

Appendix B (Confidential): North Central Information Center Records Search Results Letter

Appendix C: NAHC Sacred Lands File Search Results

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2012a. "Park Land." June 9, 2012. Accessed October 13, 2015. <http://www.sacbee.com/sports/mls/article2574868.html>.

2012b. "Last Two Capital Nursery Sites will Close by end of the Year". November 15, 2012. P. B-1. Accessed January 27, 2016. Sacramento Bee online archives.

2012c. "Capital Nursery to Close Flagship". August 10, 2012. P. A-1. Accessed January 27, 2016. Sacramento Bee online archives.

*Mr. Mike Maffia*

*Subject: Cultural Resources Report for the Land Park Commercial Center EIR Project,  
Sacramento, California*

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2012d. "Perennial favorite hopes to rebound". March 25, 2012. P. B-1. Accessed January 27, 2016. Sacramento Bee online archives.

2014. "Capital Nursery's Former properties to Sprout Houses, Stores." December 28, 2014. Accessed October 14, 2015. <http://www.sacbee.com/news/local/article5090313.html>.

Sacramento Park Neighborhoods. n.d. "Land Park." Chapter 8. Accessed October 13, 2015. <http://www.landpark.org/wp-content/uploads/2015/03/Park-Neighborhoods-Land-Park-6.pdf>.

# **APPENDIX A**

*Department of Parks and Recreation Forms*



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
HRI #  
Trinomial  
NRHP Status Code 6Z

Other Listings  
Review Code

Reviewer

Date

Page 1 of 4

\*Resource Name or #: 1913 Wentworth Ave.

**P1. Other Identifier:**

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County: Sacramento

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad: Sacramento East Date: 1967, PR 1980 T 8 North; R 4 East; SW ¼ of NW ¼ of Sec 24; MD B.M.

c. Address: 1913 Wentworth Avenue

City: Sacramento

Zip: 95822

d. UTM: Zone: 38°31'54.34"N /121°29'47.99"W (G.P.S.) Google Earth

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 017-0121-010.

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property is bounded by Wentworth Avenue to the south; Freeport Boulevard to the east; commercial and industrial developments to the north; and residential developments to the west.

The subject property is a one-story concrete-block building, with a hipped roof sheathed in asphalt shingles. The main elevation faces Wentworth Avenue and features multiple fenestrations including a sliding window flanked by decorative wood panels on both sides, a single door entry, featuring a screen-door, a large picture-window, and a roll-up garage door. The main elevation features slight eave-overhang. The entrance, located towards the center of the elevation, is recessed. This part of the elevation also features two simple square-columns. A large, empty planter is also located in front of the main elevation, adjacent to the driveway. The west elevation faces a private walkway and features three small sliding windows and a downspout gutter. A smaller planter, adjacent to this elevation separates the subject property from the walkway. The walkway leads to a wood slat fence. The subject property's east elevation faces a residential structure and features a vent located in the center of the elevation. Access to south elevation was not obtained.

\*P3b. Resource Attributes: (List attributes and codes) HP2. Single family property

\*P4. Resources Present: ☒ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



**P5b. Description of Photo:** (View, date, accession #) Overview of main elevation, view to north, 09/17/15

\*P6. Date Constructed/Age and

Sources: ☒ Historic

☐ Prehistoric ☐ Both

1950 (Sacramento County Assessor)

\*P7. Owner and Address:

Newmark, Cornish & Carey  
901 Mariner's Island Blvd. Ste. 125  
San Mateo, CA 94404

\*P8. Recorded by:

Salli Hosseini  
Dudek  
31878 Camino Capistrano #200  
San Juan Capistrano, CA 92675

\*P9. Date Recorded: 10/15/2015

\*P10. Survey Type: Intensive

\*P11. Report Citation: *Cultural Resources Report for the Land Park*

Commercial Center EIR Project, Sacramento, California. Prepared by DUDEK 2015.

\*Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record  
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record  
☐ Artifact Record ☐ Photograph Record ☐ Other (List):



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**LOCATION MAP**

Primary #  
HRI#  
Trinomial

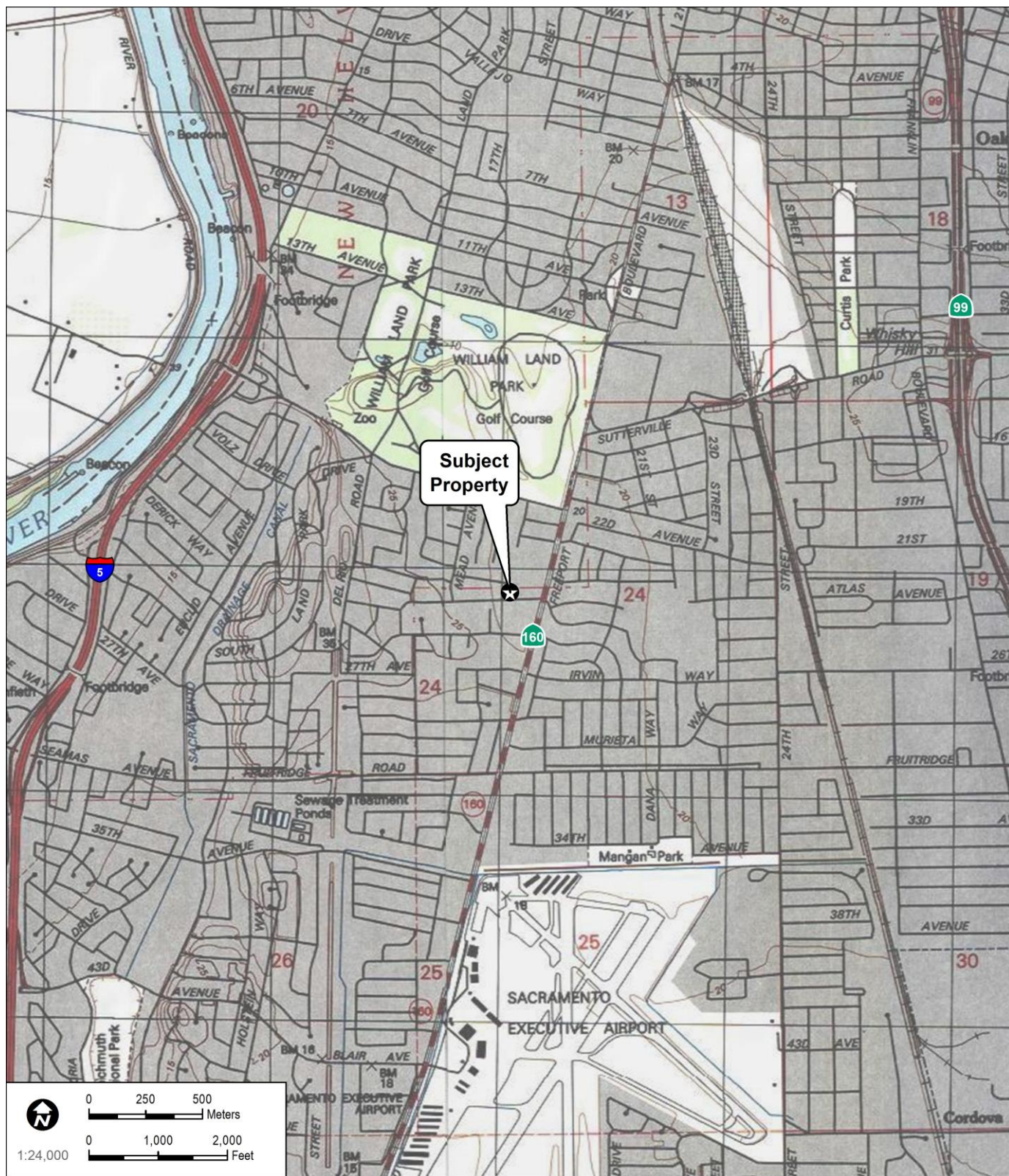
Page 2 of 4

\*Resource Name or #: 1913 Wentworth Ave.

\*Map Name: Sacramento East

\*Scale: 1:24,000

\*Date of Map: 2012





## BUILDING, STRUCTURE, AND OBJECT RECORD

Page 3 of 4

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) 1913 Wentworth Ave.

B1. Historic Name: Unknown

B2. Common Name: Unknown

B3. Original Use: Residence

B4. Present Use: Vacant

\*B5. **Architectural Style:** Minimal Traditional

\*B6. **Construction History:** (Construction date, alterations, and date of alterations)

Construction of the subject property in 1950 was confirmed by the Sacramento County Assessor. Building development research revealed the subject property has been subject to a number of minor alterations since the initial date of its construction. Building permits reveal an HVAC system was installed in 1994 (Permit No. 943041), followed by a new roof installation (Permit No. 9716104) and plumbing system (Permit No. 9713440) in 1997. Building permits also reveal new electrical system (Permit No. 9802604) was installed in 1998 and repaired in 2006 (Permit No. 0601967). Building development research failed to reveal additional information on the subject property. Other observed alterations include replacement of the garage door (date unknown).

\*B7. **Moved?** ☒No ☐Yes ☐Unknown **Date:**

**Original Location:**

\*B8. **Related Features:**

B9a. Architect: Unknown

b. Builder: Unknown

\*B10. **Significance: Theme:**

**Area:**

**Period of Significance:**

**Property Type:**

**Applicable Criteria:**

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject property is located at 1913 Wentworth Avenue in the Land Park neighborhood of Sacramento. It is a single-family Minimal Traditional style structure that was owned by Capital Nursery (Permit No. 9716104).

Charles G. and Eugene R. Armstrong (the Armstrong brothers) founded the Capital Nursery Co. in 1936. The family-owned company functioned as a nursery from 1936 until 2012. In 2012, the company closed all of its locations including the flagship store located north of the subject property in Sacramento, Citrus Heights, Elk Grove and Rocklin (Sacramento Bee 2014). Archival research failed to reveal further information on the association of the subject property to the Capital Nursery Co.

(See Continuation Sheet)

B11. Additional Resource Attributes: (List attributes and codes)

\*B12. **References:** See Continuation Sheet

B13. Remarks:

\*B14. **Evaluator:** Salli Hosseini M.A.H.P.

\***Date of Evaluation:** 10/15/2015

(This space reserved for official comments.)

(Sketch Map with north arrow required.)



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
HRI#  
Trinomial

Page 4 of 4

\*Resource Name or # (Assigned by recorder) 1913 Wentworth Ave.

\*Recorded by: Salli Hosseini

\*Date: 10/15/15

☒ Continuation

☐ Update

**\*B10.**

Development History of the Project Area

Historic aerial photographs of the subject property were available for the years 1947, 1957, 1964, 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 (NETR 2011). By 1947, the area surrounding the subject property was partially developed. By that time, most developments appear to be residential and located to the north, south, and southeast of the subject property. As evident in 1947 aerials, the parcels west and northwest of the subject property were a mixture of residential and agricultural developments. The parcel located immediately across Freeport Boulevard was mostly undeveloped with the exception of some residential developments to the south. By 1957 the surrounding area was fully developed including commercial developments on the parcel across from Freeport Boulevard. The parcels west and northwest of the subject property were fully developed and mostly contained a mixture of residential, commercial and industrial buildings. Historic aerial photographs confirm the construction of the subject property by 1957. 1964 aerials do not reveal any changes to the surrounding area or the subject property. Photographs from 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 do not reveal any changes to the subject property.

NRHP and CRHR Evaluation

Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park neighborhood. The property appears to have always functioned as a residence since the initial date of its construction (1950). Building records from 1998 reveal the subject property was owned by Capital Nursery Co. (Permit No. 9716104). Archival research failed to reveal any information on the specific use of the property or its association with Capital Nursery or its owners, and there is no indication that it is associated with important events. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria A/1.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated, and yielded no additional information relevant to either the subject property's history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2.**

The subject property is a Minimal Traditional style single-family residence that has been subject to a number of alterations since the initial date of its construction. Exterior alterations include replacement of the roof, front door, and garage door. Furthermore, archival research failed to reveal the name of an associated architect or builder. Regardless, the building is not an outstanding example of its style (lacking many of the character defining features commonly found in Minimal Traditional residences), does not possess high artistic values, and does not represent the work of a master. **As such, the building does not appear eligible under NRHP and CRHR Criteria C/3.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history, beyond what has already been identified as a result of the current study. **Therefore, the subject property is recommended not eligible under NRHP/CRHR Criteria D/4.**

Finally, for all of the same reasons explained above in consideration of national and state criteria, the subject property does not meet any of the City of Sacramento's criteria for listing in the Sacramento Register.

References

NETR (National Environmental Title Research, LLC). 2011. Address search for: 1913 Wentworth Avenue, Sacramento, CA. Accessed October 15, 2015. <http://www.historicaerials.com/>.

Sacramento Bee. 2014. "Capital Nursery's former properties to sprout houses, stores". December 28, 2014. Accessed October 14, 2015. <http://www.sacbee.com/news/local/article5090313.html>

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
HRI #  
Trinomial  
NRHP Status Code 6Z

Other Listings  
Review Code

Reviewer

Date

Page 1 of 4

\*Resource Name or #: 1919 Wentworth Ave.

**P1. Other Identifier:**

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County: Sacramento

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad: Sacramento East Date: 1967, PR 1980 T 8 North; R 4 East; SW ¼ of NW ¼ of Sec 24; MD B.M.

c. Address: 1919 Wentworth Avenue

City: Sacramento

Zip: 95822

d. UTM: Zone: 38°31'54.20"N / 121°29'47.57"W (G.P.S.) Google Earth

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 017-0121-009.

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property is bounded by Wentworth Avenue to the south; Freeport Boulevard to the east; commercial and industrial developments to the north; and residential developments to the west.

The subject property is a one-story structure sheathed in horizontal wood-siding, and features a pitch roof, with a considerable eave-overhang on the main elevation. The main elevation faces Wentworth Avenue and features four narrow square-columns, supporting the eave-overhang, and a single-door located in the center of the elevation, which is flanked by a large multi-paneled, single-hung window on both sides. The overhang creates a front-porch area that is slightly elevated and sheathed in red bricks. The porch is accessed from the front, west, and east. The east elevation faces Building 1 and features two small double-hung windows and a considerably smaller sliding window, and a vent. The west elevation faces a paved driveway and features three double-hung windows. View of the last window is obstructed by a slat fence, extending across the driveway, connecting the subject property to a shed structure.

\*P3b. Resource Attributes: (List attributes and codes) HP2. Single family property

\*P4. Resources Present: ☒ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



**P5b. Description of Photo:** (View, date, accession #) Overview of main elevation, view to north, 09/17/15

\*P6. Date Constructed/Age and

Sources: ☒ Historic

☐ Prehistoric ☐ Both

1938 (Sacramento County  
Assessor)

\*P7. Owner and Address:

Newmark, Cornish & Carey  
901 Mariner's Island Blvd. Ste. 125  
San Mateo, CA 94404

\*P8. Recorded by:

Salli Hosseini  
Dudek  
31878 Camino Capistrano #200  
San Juan Capistrano, CA 92675

\*P9. Date Recorded: 10/15/2015

\*P10. Survey Type: Intensive

\*P11. Report Citation: Cultural Resources Report for the Land Park Commercial Center EIR Project, Sacramento, California. Prepared by DUDEK 2015.

\*Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record  
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record  
☐ Artifact Record ☐ Photograph Record ☐ Other (List):



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**LOCATION MAP**

Primary #  
HRI#  
Trinomial

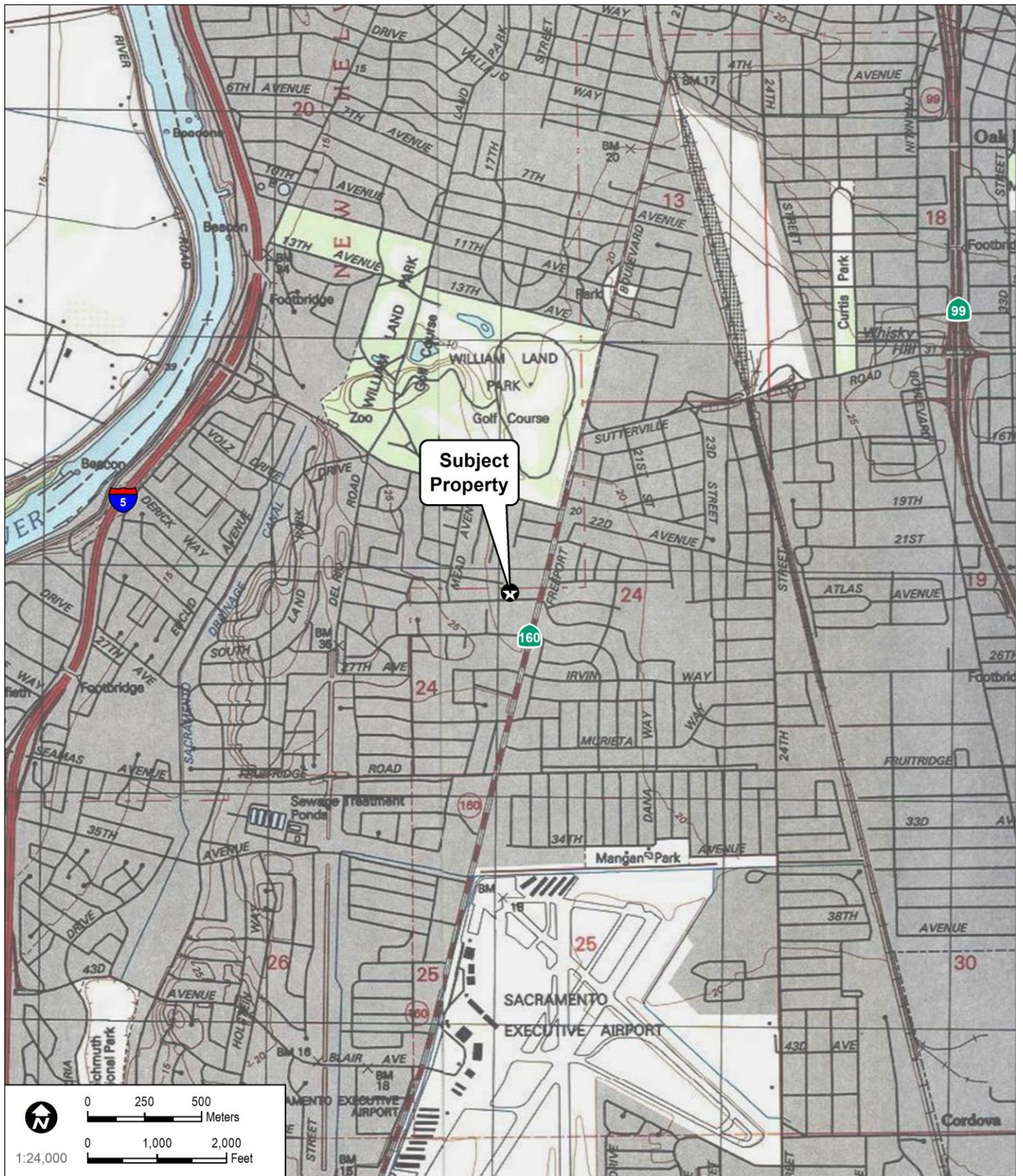
Page 2 of 4

\*Resource Name or #: 1919 Wentworth Ave.

\*Map Name: Sacramento East

\*Scale: 1:24,000

\*Date of Map: 2012



## BUILDING, STRUCTURE, AND OBJECT RECORD

Page 3 of 4

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) 1919 Wentworth Ave.

B1. Historic Name: Unknown

B2. Common Name: Unknown

B3. Original Use: Residence

B4. Present Use: Vacant

\*B5. Architectural Style: Vernacular

\*B6. Construction History: (Construction date, alterations, and date of alterations)

Construction of the subject property in 1938 was confirmed by the Sacramento County Assessor. Building development research failed to reveal additional information on the subject property. Observed alterations include a new roof, replacement of both windows on the main elevation, replacement of the middle window (originally larger) on the west elevation, with the extant small sliding-window, and addition of bricks to the porch surface.

\*B7. Moved? ☒No ☐Yes ☐Unknown Date:

Original Location:

\*B8. Related Features:

B9a. Architect: Unknown

b. Builder: Unknown

\*B10. Significance: Theme:

Area:

Period of Significance:

Property Type:

Applicable Criteria:

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject property is located at 1919 Wentworth Avenue in the Land Park neighborhood of Sacramento. It is a single-family structure and appears to have always functioned as a residence.

### Development History of the Project Area

Historic aerial photographs of the subject property were available for the years 1947, 1957, 1964, 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 (NETR 2011). By 1947, the area surrounding the subject property was partially developed. By that time, most developments appear to be residential and located to the north, south, and southeast of the subject property. As evident in 1947 aerials, the parcels west and northwest of the subject property were a mixture of residential and agricultural developments. The parcel located immediately across Freeport Boulevard was mostly undeveloped with the exception of some residential developments to the south. Historic aerial photographs confirm the construction of the subject property by 1947. By 1957 the surrounding area was fully developed including commercial developments on the parcel across from Freeport Boulevard. The parcels west and northwest of the subject property were fully developed and mostly contained a mixture of residential, commercial and industrial buildings. Historic aerial photographs reveal construction of a residence adjacent (west) of the subject property by 1957. 1964 aerials do not reveal any changes in the surrounding area or the subject property. Photographs from 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 do not reveal any changes to the subject property.

B11. Additional Resource Attributes: (List attributes and codes)

\*B12. References: See Continuation Sheet

B13. Remarks:

\*B14. Evaluator: Salli Hosseini M.A.H.P.

\*Date of Evaluation: 10/15/2015

(This space reserved for official comments.)

(Sketch Map with north arrow required.)





State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
HRI#  
Trinomial

Page 4 of 4

\*Resource Name or # (Assigned by recorder) 1919 Wentworth Ave.

\*Recorded by: Salli Hosseini

\*Date: 10/15/15

☒ Continuation

☐ Update

**NRHP and CRHR Evaluation**

Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park neighborhood. The property appears to have always functioned as a residence since the initial date of its construction (1938). The subject property was owned by Capital Nursery Co. and was part of a larger nursery operation. Archival research failed to reveal any information on the specific use of the property or its association with Capital Nursery or its owners, and there is no indication that it is associated with important events. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria A/1.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated, and yielded no additional information relevant to either the subject property's history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2.**

The subject property is a Vernacular style single-family residence that has been subject to a number of exterior alterations since the initial date of its construction. Major exterior alterations include a new roof, replacement of both windows on the main elevation, replacement of the middle window on the west elevation, and addition of bricks to the porch surface. Additionally, the subject property appears in poor condition; wood-sidings are deteriorating on three exterior surfaces, window frames and sashes present significant termite damage, and the porch surface is deteriorated and presents cracks in the concrete and missing bricks. Furthermore, archival research failed to reveal the name of an associated architect or builder. Regardless, the building has been subject to exterior alterations and has been so deteriorated, that it can no longer convey its original design. **As such, the building does not appear eligible under NRHP and CRHR Criteria C/3.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history, beyond what has already been identified as a result of the current study. **Therefore, the subject property is recommended not eligible under NRHP/CRHR Criteria D/4.**

Finally, for all of the same reasons explained above in consideration of national and state criteria, the subject property does not meet any of the City of Sacramento's criteria for listing in the Sacramento Register.

**References**

NETR (National Environmental Title Research, LLC). 2011. Address search for: 1919 Wentworth Avenue, Sacramento, CA. Accessed October 15, 2015. <http://www.historicaerials.com/>.

Sacramento Bee. 2014. "Capital Nursery's former properties to sprout houses, stores". December 28, 2014. Accessed October 14, 2015. <http://www.sacbee.com/news/local/article5090313.html>

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
HRI #  
Trinomial  
NRHP Status Code 6Z

Other Listings  
Review Code

Reviewer

Date

Page 1 of 6

\*Resource Name or #: Capital Nursery Co.

**P1. Other Identifier:**

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County: Sacramento

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad: Sacramento East Date: 1967, PR 1980 T 8 North; R 4 East; SW ¼ of NW ¼ of Sec 24; MD B.M.

c. Address: 4700 Freeport Boulevard

City: Sacramento

Zip: 95822

d. UTM: Zone: 38°31'58.37"N /121°29'42.14"W (G.P.S.) Google Earth

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 017-0121-001.

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property is bounded by Wentworth Avenue to the south; Freeport Boulevard to the east; and residential developments to the north and west. The parcel is fully developed by industrial and commercial properties.

At the front entrance (along Freeport Blvd.) the subject property is sheathed in lath and red stones and consists of the octagonal-shaped open-air rotunda flanked on either side by open-air spaces for bedding plant/flat displays. Featured on the octagonal-shaped rotunda are a wing sheathed in red stones, featuring multi-paneled windows and a hipped roof, and two double-doors. Two triangular planters are located on the concrete surface in front of this elevation. A paved parking area runs along this section of the structure. The subject property also consists of multiple hallways (south, west, and south-west of rotunda), a greenhouse (west of rotunda), and a restroom (south-west of rotunda). The interior spaces are partially covered and partially consist of built-in wooden tables, attached to square-columns, and have paved walkways. The hallways are paved and feature trusses, and side openings, covered with removable fiberglass panels (See Continuation Sheet).

\*P3b. Resource Attributes: (List attributes and codes) HP6. 1-3 story commercial building; HP8. Industrial building.

\*P4. Resources Present: ☒ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



**P5b. Description of Photo:** (View, date, accession #) Overview of front elevation, view to southwest, 10/22/2014

\*P6. Date Constructed/Age and

Sources: ☒ Historic

☐ Prehistoric ☐ Both

1946 (Sacramento County Assessor)

\*P7. Owner and Address:

Newmark, Cornish & Carey  
901 Mariner's Island Blvd. Ste. 125  
San Mateo, CA 94404

\*P8. Recorded by:

Salli Hosseini  
Dudek  
31878 Camino Capistrano #200  
San Juan Capistrano, CA 92675

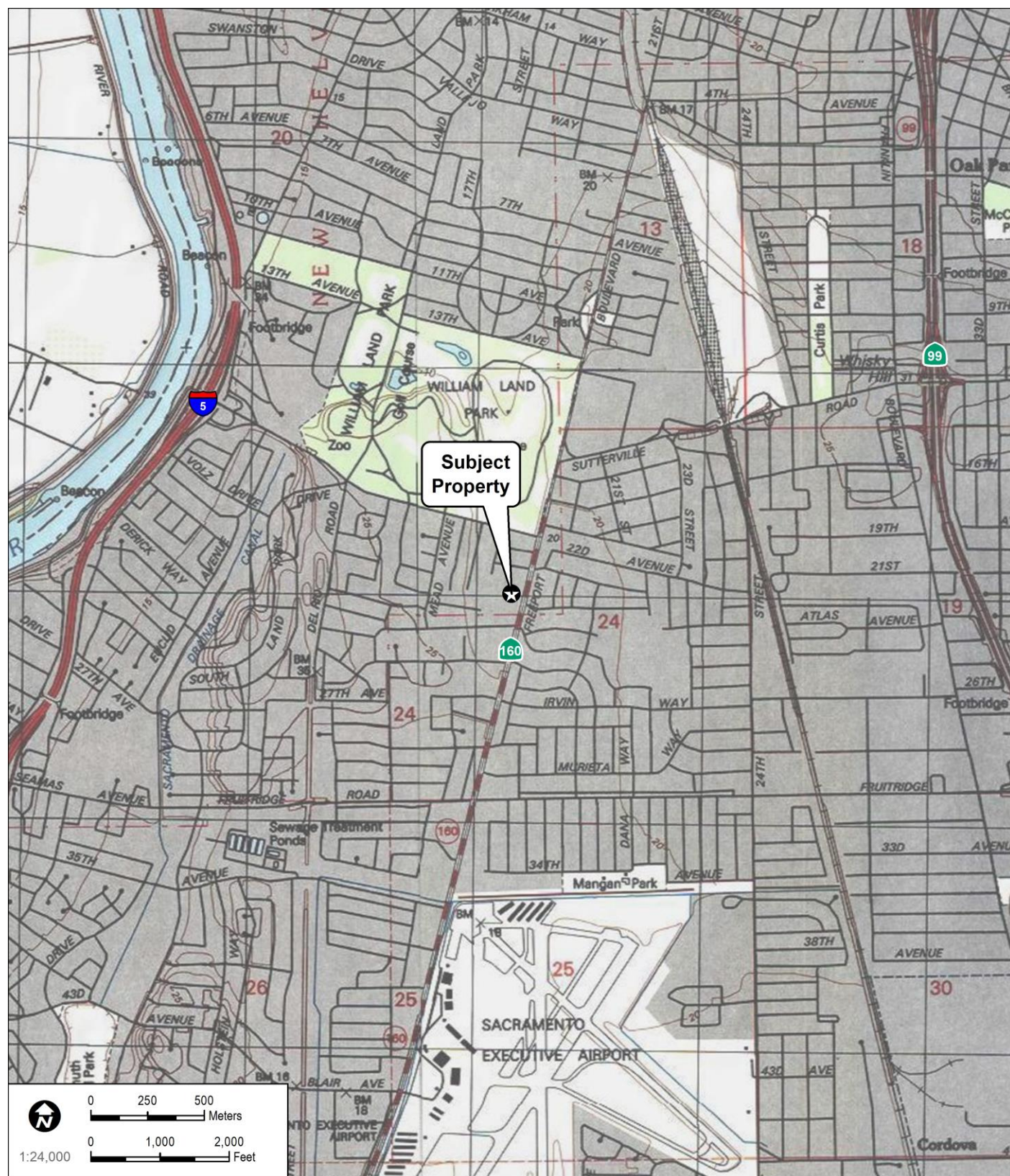
\*P9. Date Recorded: 12/10/2015

\*P10. Survey Type: Intensive

\*P11. Report Citation: *Cultural Resources Report for the Land Park Commercial Center EIR Project, Sacramento, California.* Prepared by DUDEK 2015.

\*Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record  
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record  
☐ Artifact Record ☐ Photograph Record ☐ Other (List):







## BUILDING, STRUCTURE, AND OBJECT RECORD

Page 3 of 6

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) Capital Nursery Co.

B1. Historic Name: Capital Nursery Co.

B2. Common Name: Capital Nursery

B3. Original Use: Plant nursery

B4. Present Use: Vacant

\*B5. Architectural Style: Vernacular and Utilitarian

\*B6. Construction History: (Construction date, alterations, and date of alterations)

The subject property was designed by Leonard Starks, and completed in 1946 (Nacht and Lewis 2014a, Sacramento County Assessor). A 1956 aerial photograph of the subject property on file with the City indicates the building has been subject to multiple exterior alterations on its south, west, and southwest since that time period. Building development research confirms these alterations. Building records reveal the lath house (south) was constructed in 1958 (Permit No. C-7974). Building permits dating to 1960 reveal a nursery rain cover (south) was constructed (D-7380) and was enclosed in 1961 (D-7577). In 1962, the aluminum and glass greenhouse (west) was constructed (E-2625). An office addition (southwest) took place to the garden nursery (E-1725) in 1962. Building permits reveal the garden shop was re-roofed in 1973 (A-8156), and an HVAC system was installed in 1975 (C-5956). As revealed by 1991 (A-8298) and 1992 (B-2340) building permits, the garden shop was remodeled and an HVAC system was installed in 1992 (B-6291); another remodeling took place in 1994 (949879).

\*B7. Moved? ☒No ☐Yes ☐Unknown Date:

Original Location:

\*B8. Related Features:

B9a. Architect: Leonard F. Starks

b. Builder: Unknown

\*B10. Significance: Theme:

Area:

Period of Significance:

Property Type:

Applicable Criteria:

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject property is part of the larger Capital Nursery Co. located at 4700 Freeport Blvd. in the Land Park neighborhood of Sacramento. The subject property is a Vernacular style building that houses the main retail store, nursery, greenhouse, garden shop, and restrooms. Charles G. and Eugene R. Armstrong (the Armstrong brothers) founded the Capital Nursery Co. in 1936. The family-owned company functioned as a nursery and served the Sacramento region from 1936 until 2012. In 2012, the company closed all of its locations including the flagship store in Sacramento, Citrus Heights, Elk Grove and Rocklin (Sacramento Bee 2014).

(See Continuation Sheet)

B11. Additional Resource Attributes: (List attributes and codes)

\*B12. References: See Continuation Sheet

B13. Remarks:

\*B14. Evaluator: Salli Hosseini M.A.H.P.

\*Date of Evaluation: 12/10/2015

(This space reserved for official comments.)

(Sketch Map with north arrow required.)



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
HRI#  
Trinomial

Page 4 of 4

\*Resource Name or # (Assigned by recorder) Capital Nursery Co.

\*Recorded by: Salli Hosseini

\*Date: 12/10/15

☒ Continuation

☐ Update

**\*P3a.** The greenhouse features multiple fenestrations, fiberglass panels, and built-in tables of bedding plants and flats, and is sheathed in a combination of steel plates, slats, and drywalls. The restroom structure consists of a hipped-roof, and is clad in smooth stucco. This structure features multiple fenestrations including single doors, and various sized windows.

**\*B10.**

Development History of the Project Area

Historic aerial photographs of the subject property were available for the years 1947, 1957, 1964, 1966, 1993, 1998, 2002, 2005, 2009, 2010, and 2012 (NETR 2011). By 1947, the area surrounding the subject property was partially developed. By that time, most developments appear to be residential and located to the north, south, and southeast of the subject property. As evident in 1947 aerials, the parcels west and northwest of the subject property were a mixture of residential and agricultural developments. The parcel located immediately across Freeport Boulevard was mostly undeveloped with the exception of some residential developments to the south. The parcel containing the subject property was partially developed by 1947 and contained 6 structures. Historic aerial photographs confirm the construction of the subject property by 1947. By 1957 the surrounding area was fully developed including commercial developments on the parcel across from Freeport Boulevard. The parcels west and northwest of the subject property were fully developed and mostly contained residential buildings. The parcel containing the subject property was further developed by 1957. The same photographs do not reveal any changes to the subject property. 1964 aerials do not reveal any changes in the surrounding area. By 1964, the greenhouse structure was completed and a small ancillary structure appears west of the subject property. 1966 aerials do not reveal any changes to the subject property or the surrounding area. By 1993, the small ancillary building was no longer extant. Photographs from 1998, 2002, 2005, 2009, 2010, and 2012 do not reveal any changes to the subject property.

Archival research reveals the subject property was designed by master architect Leonard Starks (Nacht and Lewis 2014). Leonard F. Starks was born in Healdsburg, California. He studied architecture in San Francisco under a matching study system of the Paris Ecole des Beaux Arts. His first practice as a designer was on the Panama-Pacific International Exposition in San Francisco (1913-1915). Following, he moved to Washington D.C. where he worked for architect Waddy Butler Wood, and then to New York City, where he initially worked as office manager for Thomas W. Lamb. Over the next few years, Sparks assisted Lamb in design of several theaters across New York, including the Rivoli and the Capital. In 1921, he was sent to Sacramento to design a chain of Pacific Coast theaters for the Famous Players theater chain. However, when an antitrust action blocked that project, Starks gave up his position with Lamb and decided to remain in Sacramento where he formed his own architectural firm. Between 1921 and 1941, Starks designed many of Sacramento's civic and commercial properties including the Fox Senator Theater in Downtown Sacramento (1923), which was demolished in the 1970s. In partnership with E.C. Hemmings, Starks practiced for a year in Sacramento at Hemmings and Starks, Architects, in 1923 (PCAD 2015). Amongst his projects during that time were W.P. Fuller Company Building and the Elks Tower (1926) in Italian Renaissance style (Nacht and Lewis 2014b). Later in the 1920s, he was partner and practiced at Starks and Flanders, Architects in Sacramento, where he designed the addition to the California National Bank (1926), the no longer extant Alhambra Theater (1927) in Moorish style, the Blue Anchor Building (1931), the NRHP-listed Federal Building (1933) which exhibits several early 20th Century revival styles, and the NRHP-listed C.K. McClatchy High School (1949) in Classical Revival style.. Sparks and Flanders were also involved in numerous commercial and several private residential designs throughout Sacramento and San Joaquin Valleys. Furthermore, Sparks was the president of the Society of Sacramento Architects, an architectural organization for Sacramento architects in the early 1930s (PCAD 2015). Starks founded Starks Jozens & Nacht, which was later taken over by Daniel J. Nacht as today's Nacht & Lewis Architects (Forgotten Books 2013).

NRHP and CRHR Evaluation

Archival research failed to indicate any associations with important events that contributed to the broad patterns of California, City of Sacramento, or the Land Park neighborhood. The property appears to have always functioned as a nursery since the initial date of its construction (1946). Archival research failed to reveal any information on the business or business owners, and there is no indication that they are associated with important events. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria A/1.**

Archival research failed to indicate any associations with significant persons. All names identified as a result of building development research were investigated, and yielded no additional information relevant to either the subject property's history or any broader associations. **Therefore, the subject property does not appear eligible under NRHP/CRHR Criteria B/2.**

The subject property is an industrial/commercial structure in Vernacular architectural style that has been subject to a number of exterior and interior alterations since the initial date of its construction. Exterior alterations include construction of a lath house in 1958, a nursery rain cover in 1960 and its enclosure in 1961; construction of a greenhouse, and an office addition to the garden nursery in 1962, all of which have significantly compromised the integrity of the original design. Additionally, the garden shop

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
HRI#  
Trinomial

Page 4 of 4

\*Resource Name or # (Assigned by recorder) Capital Nursery Co.

\*Recorded by: Salli Hosseini

\*Date: 12/10/15

☒ Continuation

☐ Update

was re-roofed in 1973 and an HVAC system was installed in 1975. Interior alterations include remodeling of the garden shop and an HVAC installation in 1992, followed by another remodeling in 1994. The additions and alterations over the years have compromised the integrity of the original design and materials of the subject property. Much of the subject property's original materials in the exterior and interior have been lost as a result of numerous alterations since the initial construction. Additionally, the subject property appears to be in poor condition; door and window frames have been removed in various parts of the interior (garden shop, restrooms, and greenhouse). The roof is also damaged in the restroom structure. Concrete pavements have either been removed, or are in poor condition throughout most parts of the subject property, wood posts and beams appear in poor condition due to excessive moisture, and loose wires are dangling from the ceiling in various parts of the interior. Built-in cabinets and plant stands are damaged in parts of the interior. Additionally, wall surfaces are damaged, and a number of glass windows are missing and currently boarded up. Termites are present on wood elements throughout the structure, and vegetation is growing in-between concrete cracks. Furthermore, overgrown vegetation is present in most parts of the subject property.

Archival research reveals the subject property was designed by master architect Leonard Starks (Nacht and Lewis 2014). Leonard F. Starks was born in Healdsburg, California. He studied architecture in San Francisco under a matching study system of the Paris Ecole des Beaux Arts. His first practice as a designer was on the Panama-Pacific International Exposition in San Francisco (1913-1915). Following, he moved to Washington D.C. where he worked for architect Waddy Butler Wood, and then to New York City, where he initially worked as office manager for Thomas W. Lamb. Over the next few years, Sparks assisted Lamb in design of several theaters across New York, including the Rivoli and the Capital. In 1921, he was sent to Sacramento to design a chain of Pacific Coast theaters for the Famous Players theater chain. However, when an antitrust action blocked that project, Starks gave up his position with Lamb and decided to remain in Sacramento where he formed his own architectural firm. Between 1921 and 1941, Starks designed many of Sacramento's civic and commercial properties including the Fox Senator Theater in Downtown Sacramento (1923), which was demolished in the 1970s. In partnership with E.C. Hemmings, Starks practiced for a year in Sacramento at Hemmings and Starks, Architects, in 1923 (PCAD 2015). Amongst his projects during that time were W.P. Fuller Company Building and the Elks Tower (1926) in Italian Renaissance style (Nacht and Lewis 2014b). Later in the 1920s, he was partner and practiced at Starks and Flanders, Architects in Sacramento, where he designed the addition to the California National Bank (1926), the no longer extant Alhambra Theater (1927) in Moorish style, the Blue Anchor Building (1931), the NRHP-listed Federal Building (1933) which exhibits several early 20th Century revival styles, and the NRHP-listed C.K. McClatchy High School (1949) in Classical Revival style. Sparks and Flanders were also involved in numerous commercial and several private residential designs throughout Sacramento and San Joaquin Valleys. Starks was also among the architects of the NRHP-listed New Helvetia Historic District (1942) (Boghosian 2013). Furthermore, Sparks was the president of the Society of Sacramento Architects, an architectural organization for Sacramento architects in the early 1930s (PCAD 2015). Starks founded Starks Jozens & Nacht, which was later taken over by Daniel J. Nacht as today's Nacht & Lewis Architects (Forgotten Books 2013). Starks was a prominent Sacramento architect who designed some of the most important buildings in the downtown area. He is recognized for his theater design and civic projects, as well as a number of commercial projects in Sacramento. The architect's most noteworthy buildings (Elk Tower, Blue Anchor Building, Federal Building, and the C.K. McClatchy High School) are in early 20th Century period revival styles and exhibit elaborate ornamentation. Considering the breadth of his career in the City of Sacramento, it is clear that Starks' most important and significant work occurred in the 1920s and 1930s in the downtown area. The subject property is a late, and not particularly noteworthy example of Starks' work and does not possess the high artistic values that he is known for in the City of Sacramento.

Furthermore, building development research suggests the 1962 addition to the garden nursey was completed by Dean Unger. Born in Sacramento, Dean Frederick Unger received a Master of Arts degree in Architecture from the University of California-Berkeley. After graduation he volunteered to serve in the Air Force during the Korean War and acted as a Second Lieutenant. Towards the end of the war, Unger returned to Sacramento where he worked as a draftsman for Ken Rickey and Fred Brooks. He established his solo practice Dean F. Unger, AIA, Inc. in 1959 in Sacramento. Unger served as President for the Central Valley Chapter of The American Institute of Architects. He was a member of the first Sacramento County Parks and Recreation Commission, which coined the phrase "Discovery Park" and started the American River Parkway right-of-way. He was also a member of the Sacramento City Housing Appeals Board. California Governor Ronald Reagan appointed Unger to the State Board of Architectural Examiners where he served four years as Board President. Unger received a Fellowship in the American Institute of Architects in 1982. During his term on the State Board of Architectural Examiners, as a Fellow of the American Institute of Architects, and as a member of National Council of Architectural Registration Board, Unger chaired the group to formulate the National Architect Design Exam, and the "Exam for General Knowledge of the Practice of Architecture" during the 1970's. Dean Unger's most notable work included the Yolo County Administration Center in Woodland (1984), the Tuolumne County Administration Building in Sonora, the Teichert Corporate Headquarters, the Point West Executive Park and the Farm Credit Banks in Sacramento, the Gold River Executive Center in Gold River, the Aspen Neighborhood, 5th and G Street Plaza, the UC Davis Faculty Club and the Veteran's Memorial Building in Davis (American Institute of Architects 2011).

Although Dean F. Unger was a Sacramento architect who has designed numerous commercial, residential, educational, and

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
HRI#  
Trinomial

Page 4 of 4

\*Resource Name or # (Assigned by recorder) Capital Nursery Co.

\*Recorded by: Salli Hosseini

\*Date: 12/10/15

☒ Continuation

☐ Update

administrative buildings throughout the City, he is not considered a master architect. Furthermore, archival research reveals that most of his designs were in the Modern style. Also, building development research failed to reveal further information on the 1962 addition by Dean Unger, and it is not evident whether that particular section of the property is extant. The existing section of the subject property (southwest) identified in this report as the garden shop appears in poor condition and does not represent a noteworthy example of Unger's work.

In summary, although both Leonard F. Starks and Dean F. Unger have been involved in the design and development of the subject property (during different times), the subject property does not represent an outstanding example of either architect's work. Furthermore, the subject property does not embody distinctive characteristics of a particular style, type, period, or method of construction, and (as previously discussed) it has been subject to a number of alterations that have impacted the integrity of its original design. Also, the subject property appears in poor condition. **As such, the building does not appear eligible under NRHP and CRHR Criteria C/3.**

There is no evidence to indicate that the subject property is likely to yield any information important in prehistory or history, beyond what has already been identified as a result of the current study. **Therefore, the subject property is recommended not eligible under NRHP/CRHR Criteria D/4.**

Finally, for all of the same reasons explained above in consideration of national and state criteria, the subject property does not meet any of the City of Sacramento's criteria for listing in the Sacramento Register.

#### References

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Sacramento Bee. 2014. "Capital Nursery's former properties to sprout houses, stores". December 28, 2014. Accessed October 14, 2015. <http://www.sacbee.com/news/local/article5090313.html>

Forgotten Books. 2013. "Architect Joins Sacramento Firm". *Architect and Engineer*. Accessed October 22, 2015.  
[http://www.forgottenbooks.com/readbook\\_text/Architect\\_and\\_Engineer\\_1000024565/189](http://www.forgottenbooks.com/readbook_text/Architect_and_Engineer_1000024565/189)

# **APPENDIX B (CONFIDENTIAL)**

*North Central Information  
Center Records Search Results Letter*



# **APPENDIX C**

## ***NAHC Sacred Lands File Search Results***





September 22, 2015

Mr. Jason Camp, THPO  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, CA 95603

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Camp,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

### **Project Description and Location**

The project applicant is proposing to construct an approximately 108,000 square foot (sf) retail center near the corner of Freeport Boulevard and Wentworth Avenue on the former Capital Nursery site. The retail center proposes a 55,000 sf grocery store with up to 53,000 sf in complimentary retail uses along with parking and landscaping.

The project area is located at 4700 Freeport Boulevard in Sacramento, California. The project area is bounded by residential housing to the north, Wentworth Avenue to the south, Freeport Boulevard and two existing bank buildings to the east, and residential housing to the west. The project area falls within Section 24 of Township 8 North, Range 4 East of the Sacramento East, California 7.5' USGS Quadrangle Map (see enclosed map).

If you have knowledge of cultural resources that may exist within or near the project area, please contact me directly at (626) 204-9826, [smurray@dudek.com](mailto:smurray@dudek.com), or at the above address at your earliest convenience.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the CEQA lead agency (the City of Sacramento) and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the City in writing pursuant to Public Resources Code Section 21080.3.1(b).

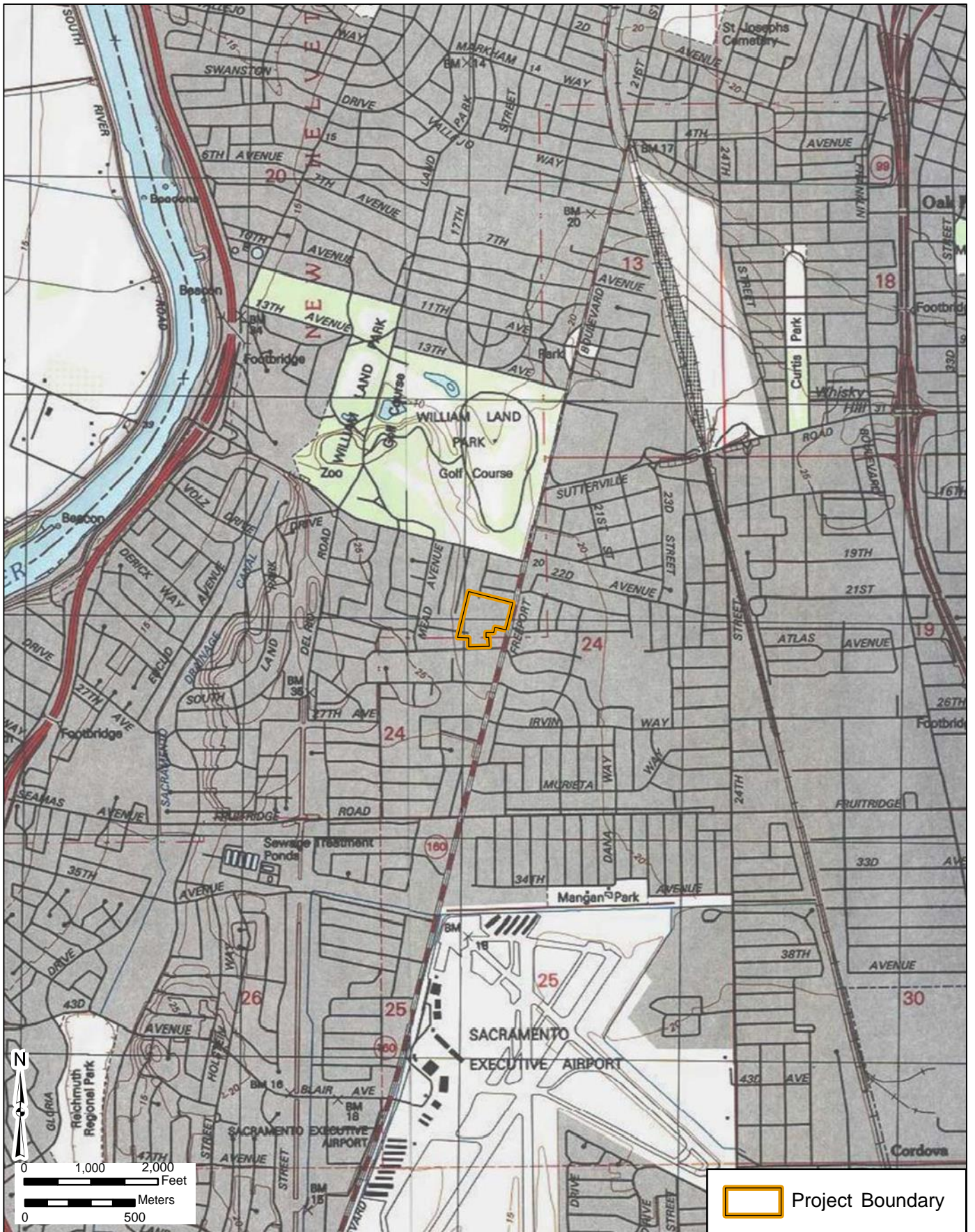
Thank you for your assistance.

Sincerely,

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Samantha Murray, M.A., RPA  
Archaeologist

*Attachment: Project Location Map*



SOURCE: USGS Topo 7.5 Minute Series - Sacramento West & Sacramento East Quadrangle  
 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



September 22, 2015

Mr. Grayson Coney, Cultural Director  
T'si-Akim Maidu  
P.O. Box 1316  
Colfax, CA 95713

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Coney,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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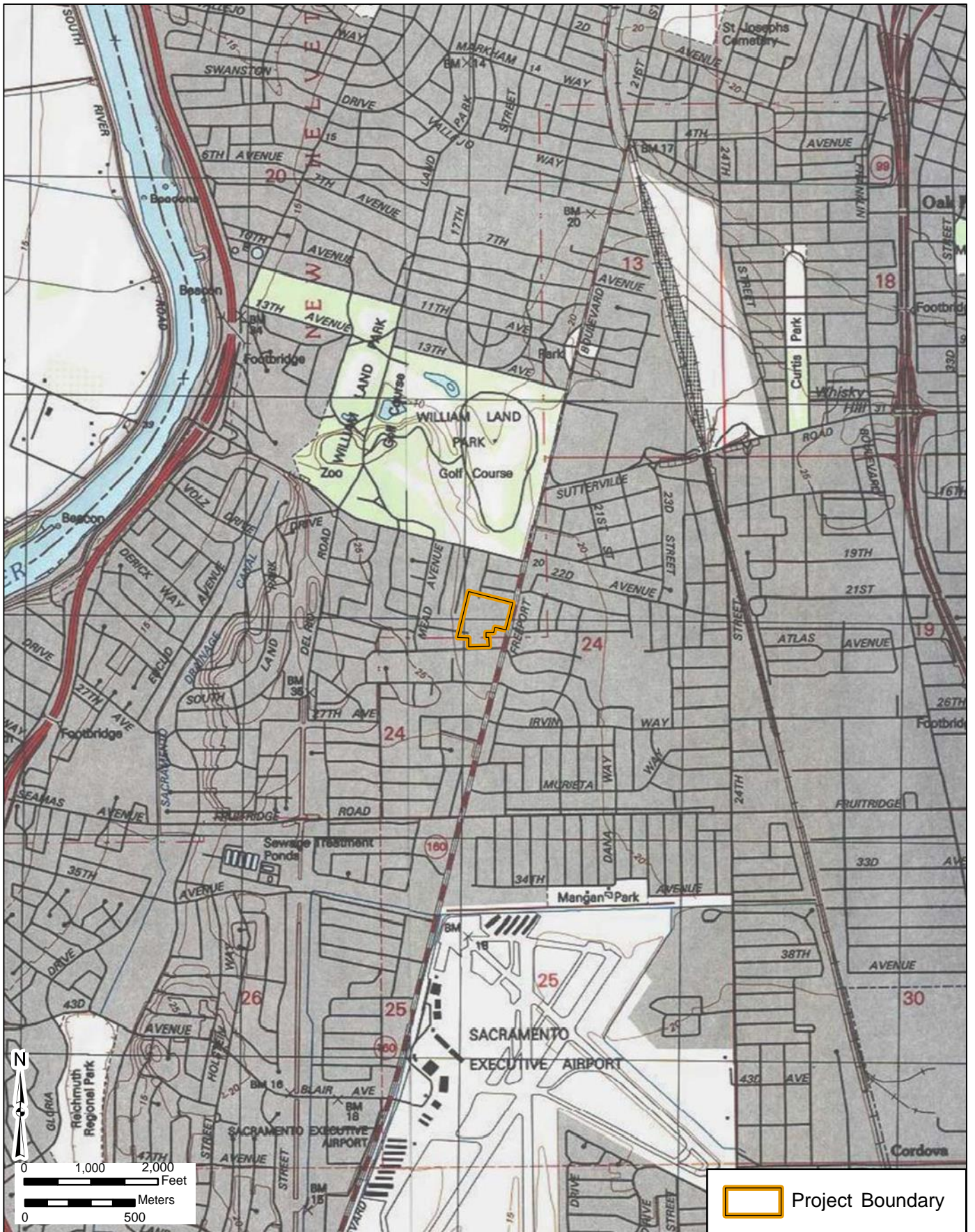
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Archaeologist

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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



September 22, 2015

Ms. Pamela Cubbler,  
Colfax-Todds Valley Consolidated Tribe  
P.O. Box 734  
Foresthill, CA 95631

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Ms. Cubbler,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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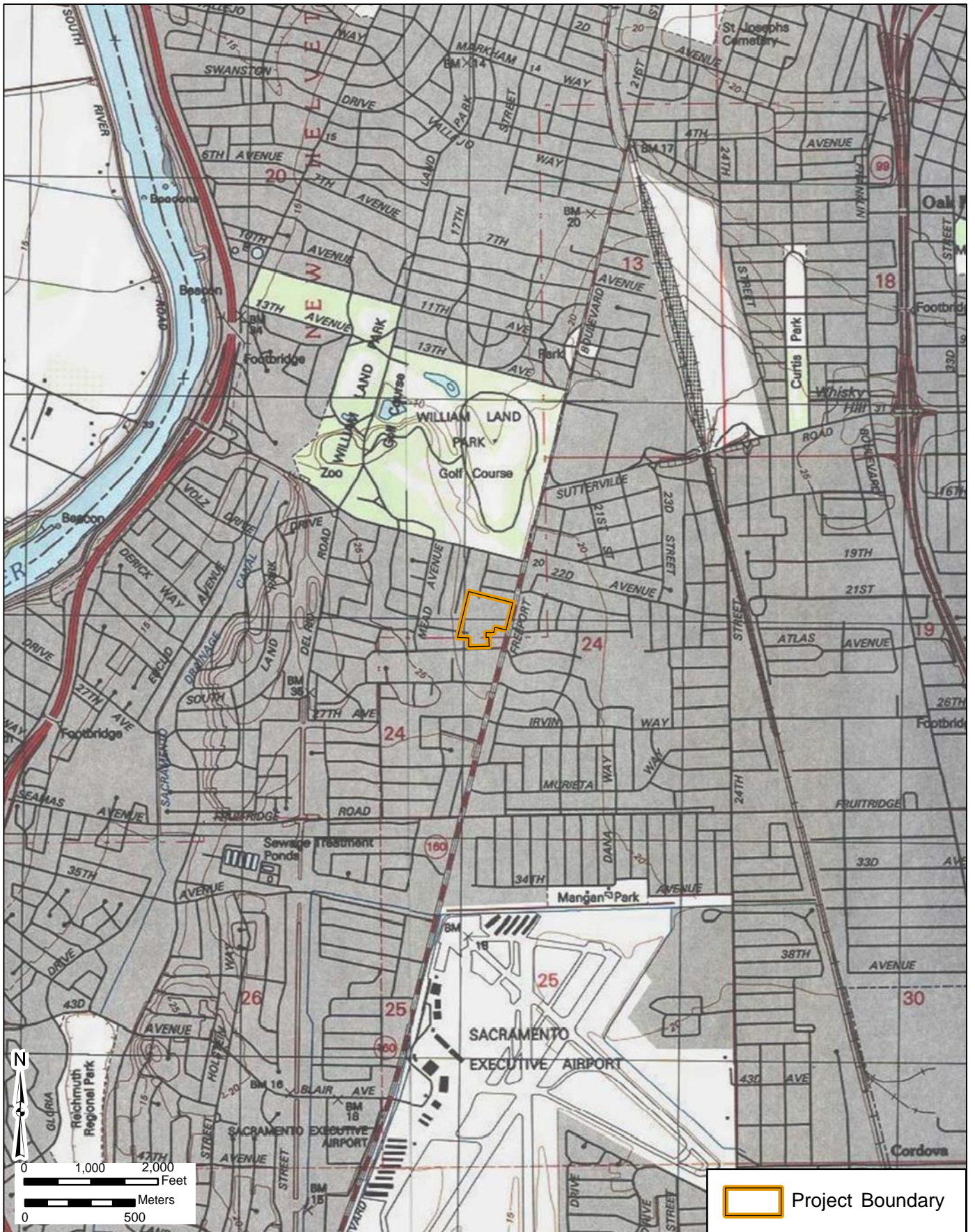
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Archaeologist

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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Ms. Rose Enos,  
Maidu / Washoe  
15310 Bancroft Road  
Auburn, CA 95603

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Ms. Enos,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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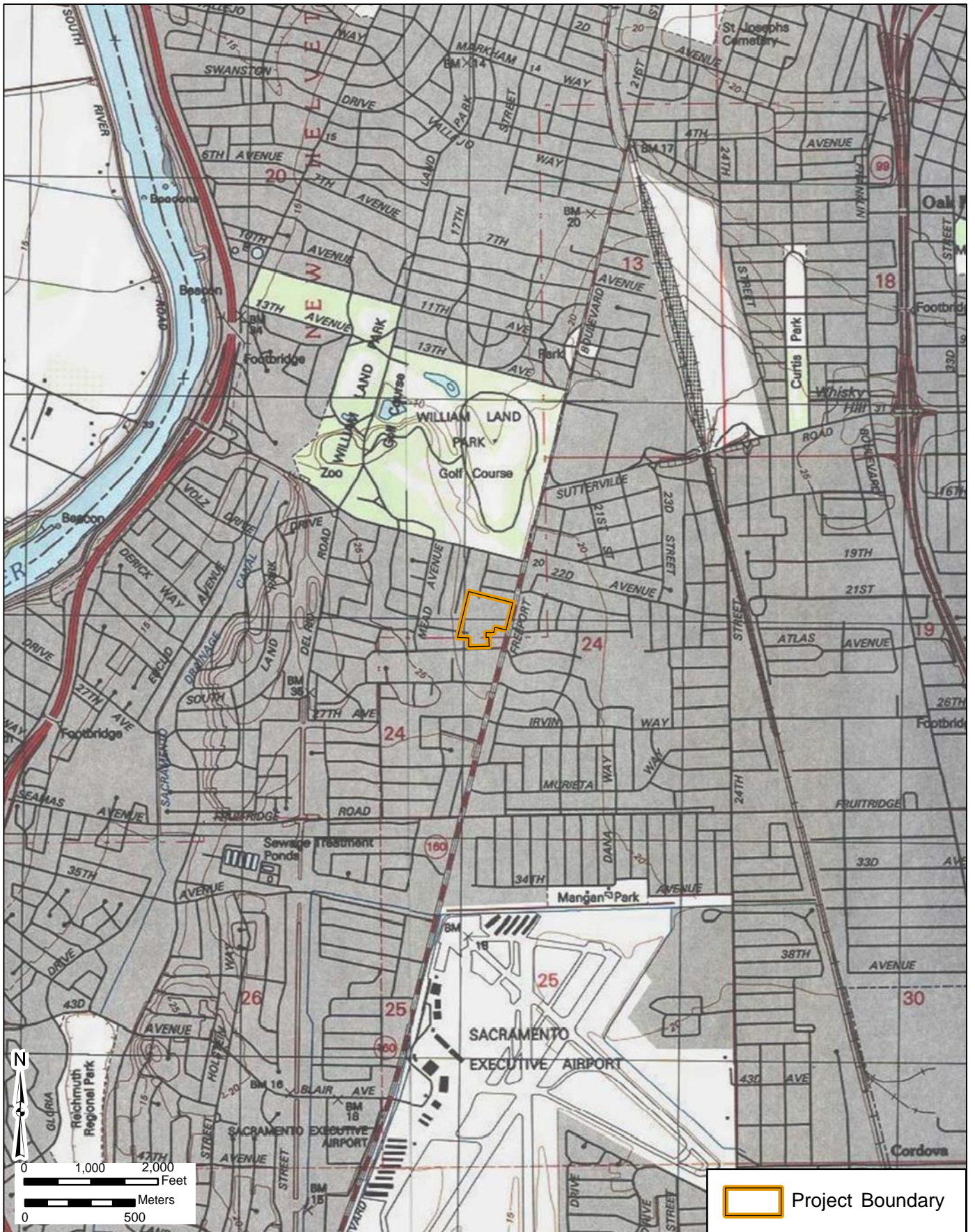
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Archaeologist

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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Mr. Daniel Fonseca, Cultural Resource Director  
Shingle Springs Band of Miwok Indians  
P.O. Box 1340  
Shingle Springs, CA 95682

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Fonseca,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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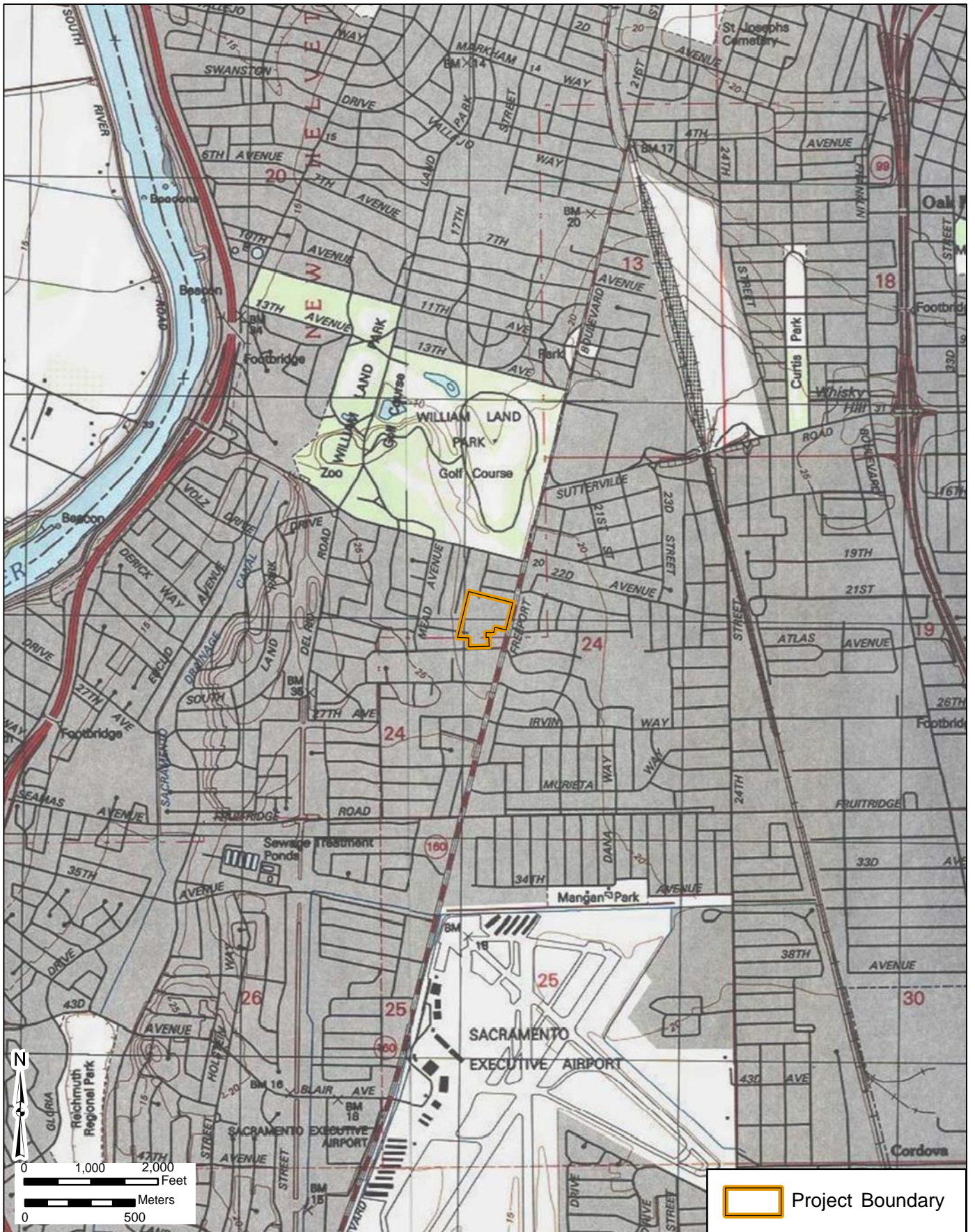
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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Mr. Nicholas Fonseca, Chairperson  
Shingle Springs Band of Miwok Indians  
P.O. Box 1340  
Shingle Springs, CA 95682

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Fonseca,

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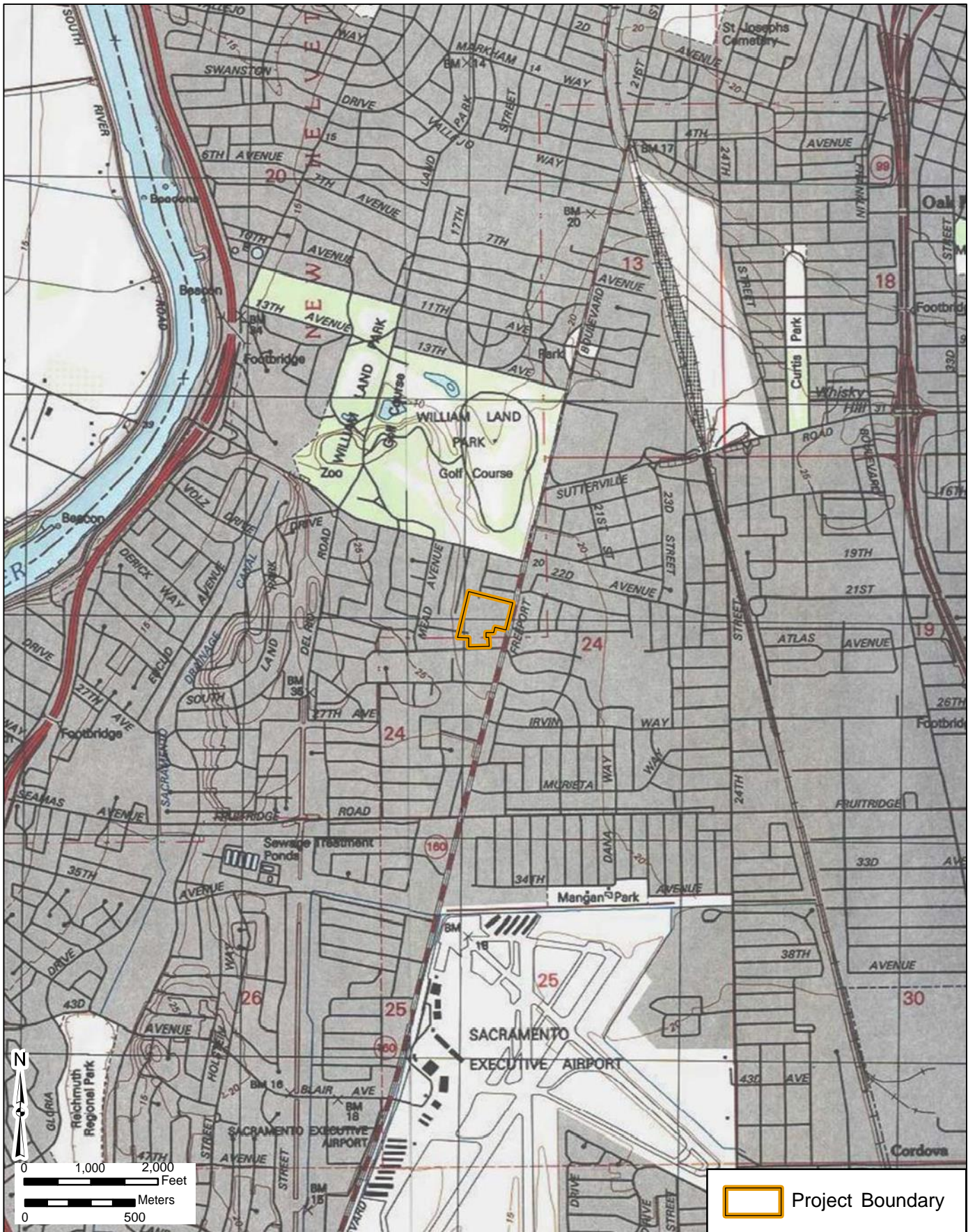
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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Mr. Marcos Guerrero, Tribal Preservation Committee  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, CA 95603

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Guerrero,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

### **Project Description and Location**

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If you have knowledge of cultural resources that may exist within or near the project area, please contact me directly at (626) 204-9826, [smurray@dudek.com](mailto:smurray@dudek.com), or at the above address at your earliest convenience.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the CEQA lead agency (the City of Sacramento) and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the City in writing pursuant to Public Resources Code Section 21080.3.1(b).

Thank you for your assistance.

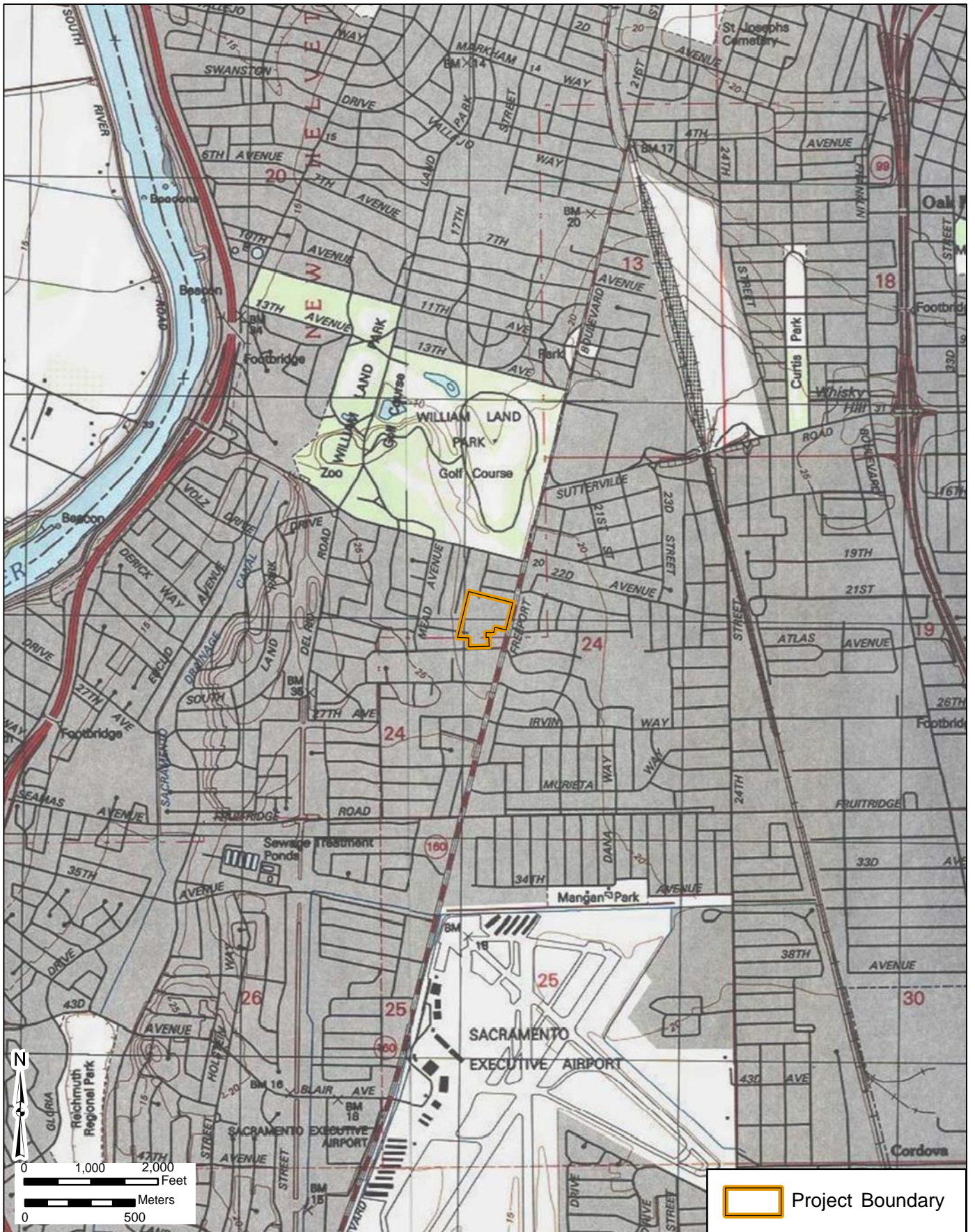
Sincerely,

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Samantha Murray, M.A., RPA  
Archaeologist

*Attachment: Project Location Map*





SOURCE: USGS Topo 7.5 Minute Series - Sacramento West & Sacramento East Quadrangle  
 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Ms. Judith Marks,  
Colfax-Todds Valley Consolidated Tribe  
1068 Silverton Circle  
Lincoln, CA 95648

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Ms. Marks,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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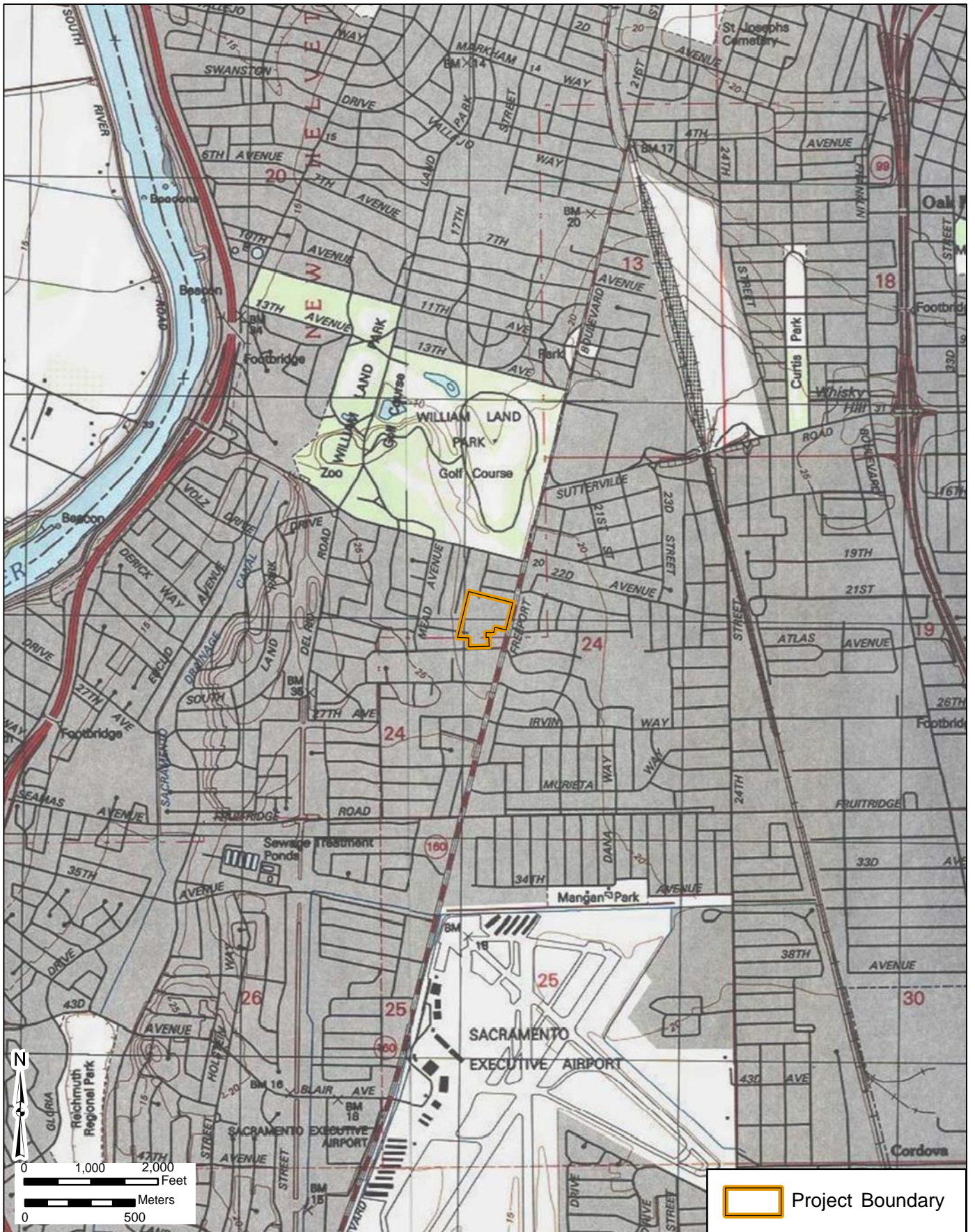
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Samantha Murray, M.A., RPA  
Archaeologist

*Attachment: Project Location Map*





SOURCE: USGS Topo 7.5 Minute Series - Sacramento West & Sacramento East Quadrangle  
 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



September 22, 2015

Ms. Eileen Moon, Vice Chairperson  
T'si-Akim Maidu  
P.O. Box 1246  
Grass Valley, CA 95945

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Ms. Moon,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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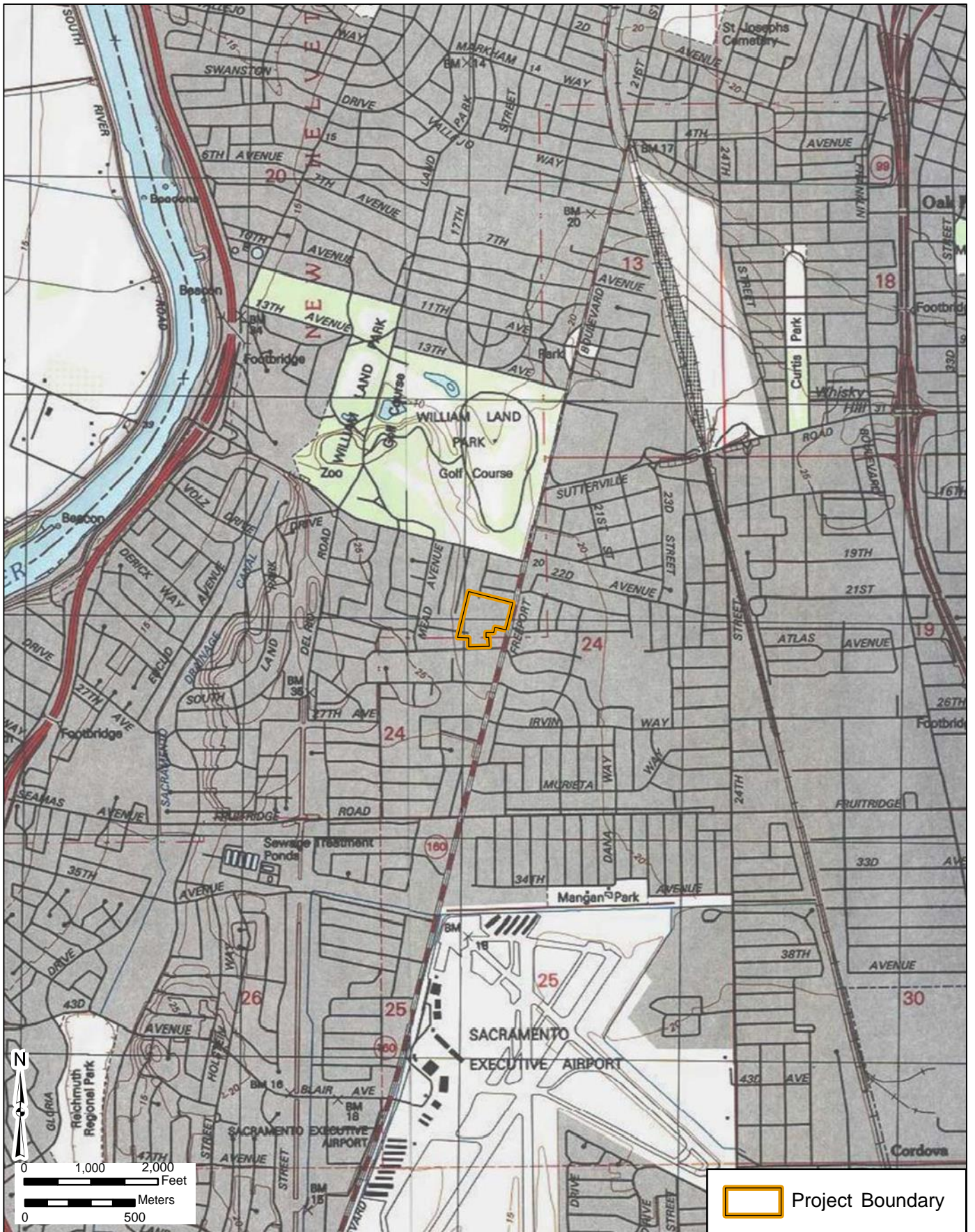
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Archaeologist

*Attachment: Project Location Map*



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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



September 22, 2015

Ms. April Wallace Moore,  
Nisenan  
19630 Placer Hills Road  
Colfax, CA 95713

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Ms. Moore,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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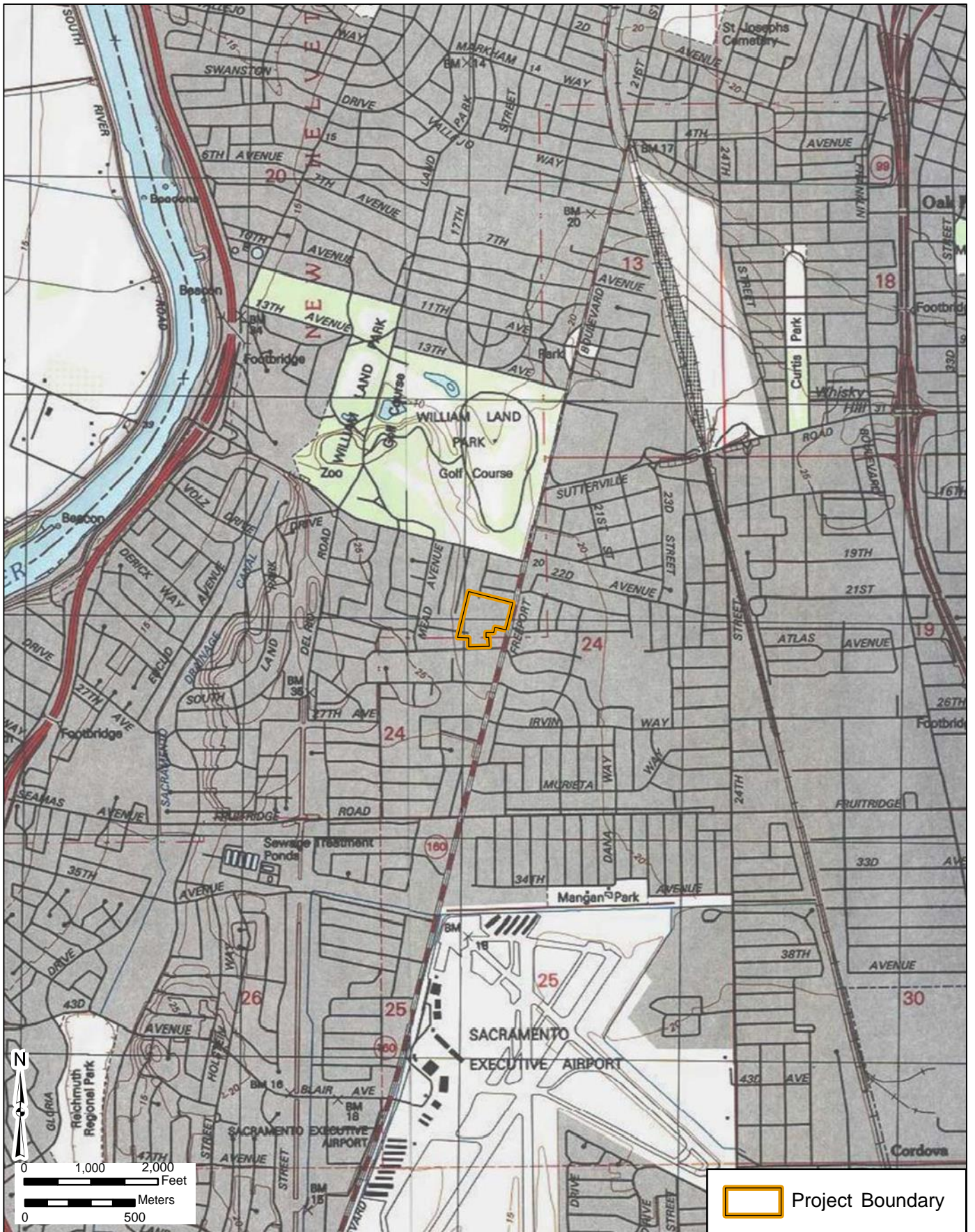
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Archaeologist

*Attachment: Project Location Map*



SOURCE: USGS Topo 7.5 Minute Series - Sacramento West & Sacramento East Quadrangle  
 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



September 22, 2015

Mr. Hermo Olanio, Chairperson  
Shingle Springs Band of Miwok Indians  
P.O. Box 1340  
Shingle Springs, CA 95682

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Olanio,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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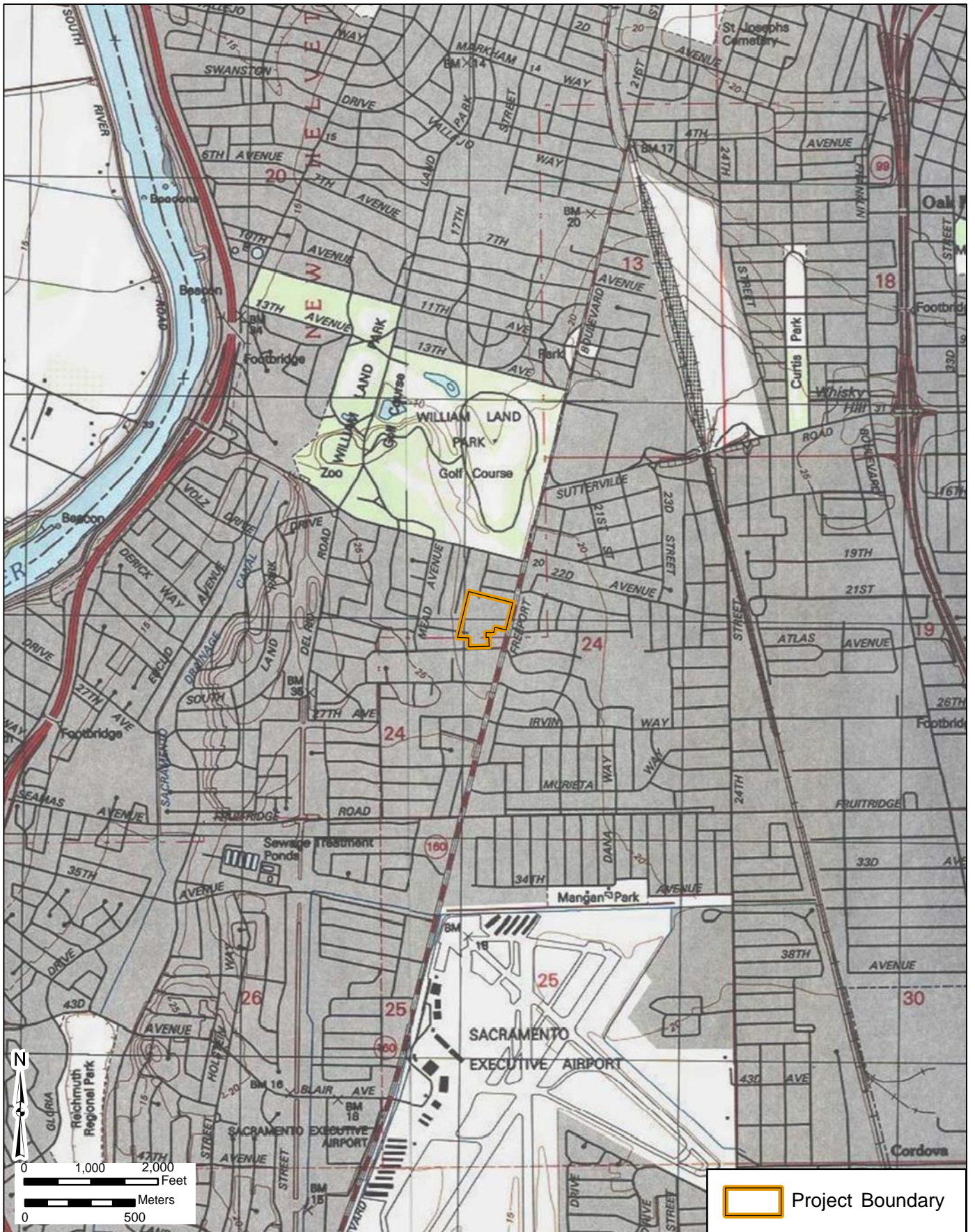
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*Attachment: Project Location Map*





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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Mr. Don Ryberg, Chairperson  
T'si-Akim Maidu  
P.O. Box 1246  
Grass Valley, CA 95945

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Ryberg,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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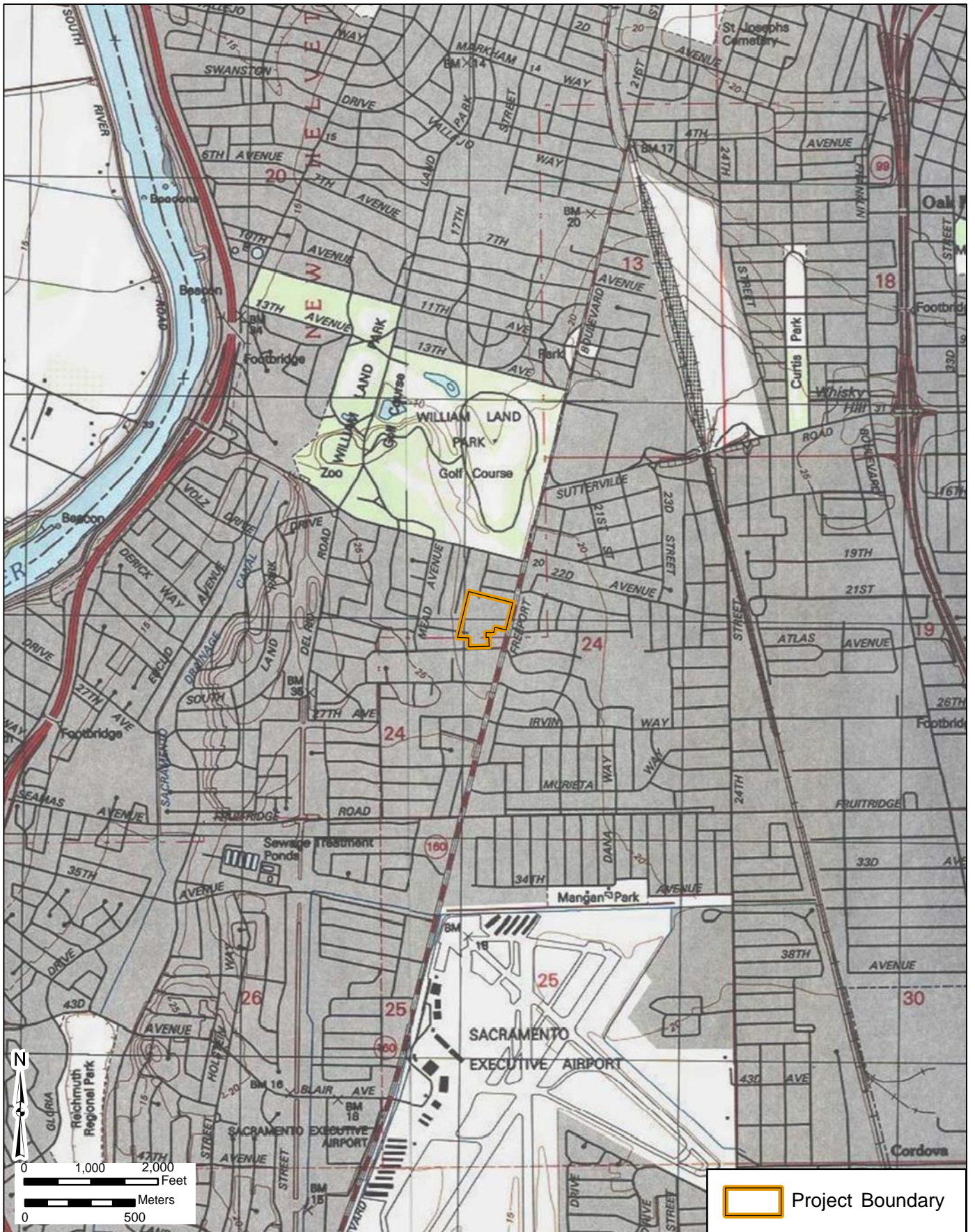
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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS

September 22, 2015

Mr. Gene Whitehouse, Chairperson  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, CA 95603

***Subject: Cultural Resources Study for the Land Park Raley's Project EIR, Sacramento, California.***

Dear Mr. Whitehouse,

Dudek has been retained to prepare a cultural resources study for the Land Park Raley's Project Environmental Impact Report (EIR) (the proposed project) located at 4700 Freeport Boulevard in Sacramento, California. As part of the process of identifying cultural resources issues for this project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the project area. The SLF search "failed to indicate the presence of Native American cultural resources in the immediate project area." However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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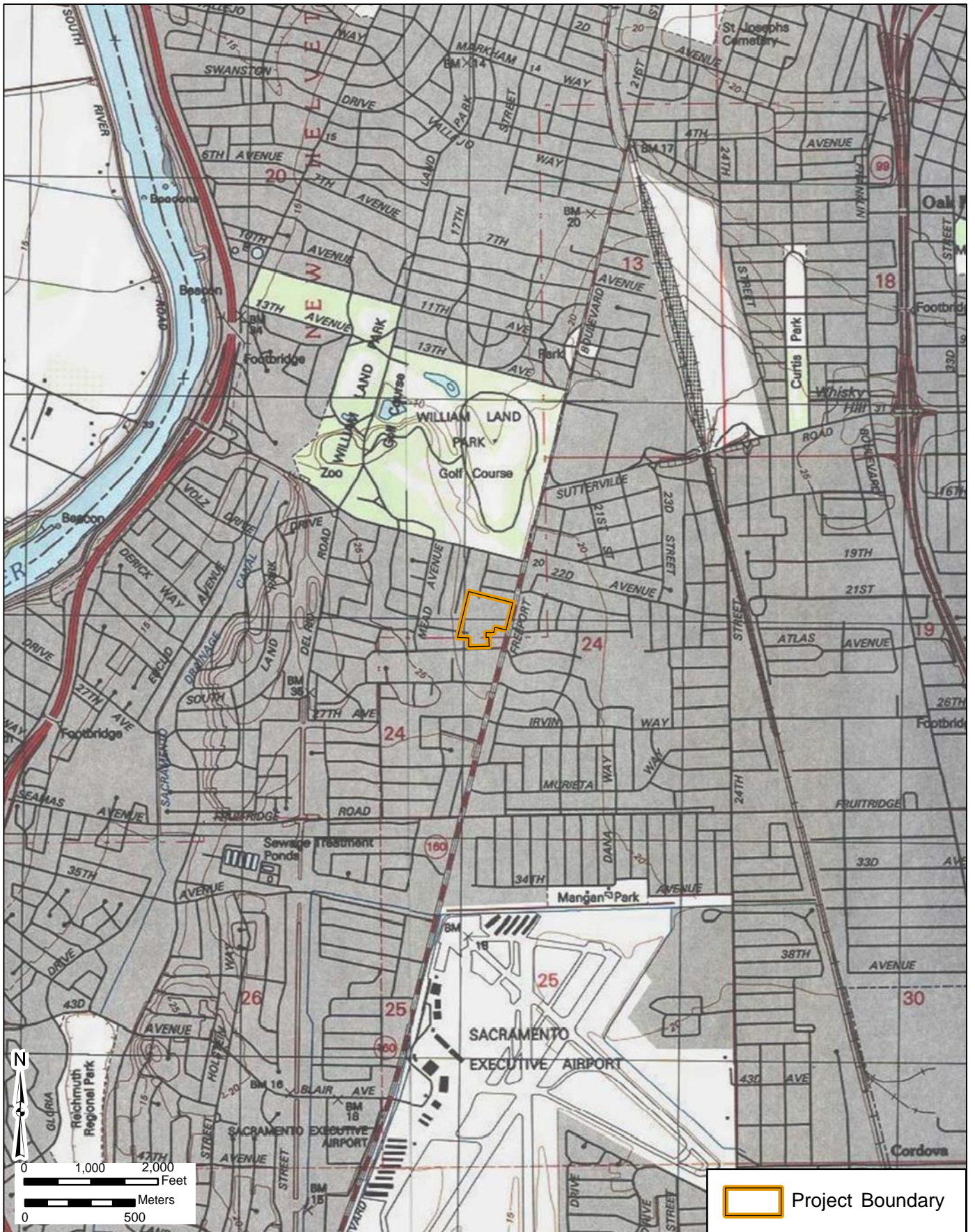
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 Township 8N / Range 4E / Section 24

## Project Location Map

LAND PARK RALEYS



